







**KING'S  
FAVOURITE**

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*From a photo by Emory Walker after a painting in the National Portrait Gallery, painted by Watson*

*Robert Carr, Earl of Somerset.*



# KING'S FAVOURITE

*THE LOVE STORY OF ROBERT CARR  
AND LADY ESSEX*

By PHILIP GIBBS

Author of "The Romance of George Villiers,  
First Duke of Buckingham," etc.

WITH 33 ILLUSTRATIONS

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## FOREWORD

THIS is the first book giving the full life of Robert Carr, Earl of Somerset. I find that curious, for the man was a great figure in the history of his time, during the few years in which he reigned as King's favourite. It is true to say that he reigned. A squire of low degree, he was raised to the first place in the kingdom, under James, who could deny him nothing. All Court patronage flowed through his hands. Great men and small men crowded in his antechambers, bringing flattery and presents to bribe their way into his favour and into profitable places. A foreigner (as he was then called) speaking the English tongue with difficulty, he was made a peer of men who had the noblest blood and the oldest and proudest titles in England, so that the Howards, the Cecils, the Talbots, and other high families found this young Scottish gentleman, with his florid face and reddish hair, a dangerous and successful rival. Most of them hated him, though he was not arrogant in the early days of his greatness, but extraordinarily generous; and many of those who hated him were among his flatterers when they desired offices and plunder. But he had a greater power than that. He

controlled not only the Court, but the kingdom. He was, after Salisbury's death, and even a little time before, the greatest man at the Council Table. He was practically Prime Minister of England. The King confided to him all secrets of State ; all dispatches from our ambassadors came first to his hands, and he held the threads of all our diplomacy at a critical time in the history of the nation. James was ruled by his influence, and the disastrous Spanish policy which alienated the affections of the great mass of the people from their Sovereign, to the curse of his reign and of the first years of the next, found its strongest supporter in Robert Carr. The long struggle between the King and Parliament, which led the son of James to the scaffold in Whitehall, began when Carr whispered into the King's ear, and incited him to resist the liberties of the people.

The man cannot, therefore, be ignored as a character in history. But this is not the only reason why the life of Robert Carr had to be written. His political career is not of such intense interest as his private life. For he was the central figure in a great drama—almost a melodrama—of passion and crime. In the whole range of English history it is difficult to find a story in which all the essential qualities of tragic drama are more apparent. Alexandre Dumas would have made a great romance of such a narrative, with its Court intrigues, its dark plots, its deadly crimes, through which there moves the magnificent favourite with a beautiful woman, whose evil nature reminds one curiously of that "Miladi" whom Dumas took as his type of wicked womanhood. It is hardly



too much to say that Shakespeare himself, who was living at this time, would have found this a theme almost worthy of his genius. They were not mean figures who passed across the stage. The King and Queen, the heir-apparent, the archbishop and bishops, the great lords of England, the ladies of quality, Court poets, foreign ambassadors, and foreign princes are among the *dramatis personæ* of the plot, and the scene is laid in the Palace of Whitehall, at Windsor Castle, and the Tower. And there are other characters to provide the low comedy of the piece, though it was comedy in the midst of tragedy. There were witch-doctors, astrologers, apothecaries, wise women, poison-mongers and cut-throats, and the servants of great people who were the panderers and go-betweens of their masters and mistresses. The scenes in which these people gathered were in the low haunts of Stuart London and the ante-chambers of the Court. In the midst of them all was the love-story of Robert Carr and Frances Howard, a story beginning with witchcraft and ending with murder, and full of that human passion which makes the drama of life. The story moves swiftly, and is crowded with curious incidents. It begins with a stage-picture in the tiltyard at Whitehall, thronged with all the great figures of the Court, when Robert Carr, the handsome young Scot, first attracts the eyes of the King. Then comes that strange alliance between two men, one of them without education, yet raised to a great place; the other a poet and a scholar, building up the reputation and fortune of his friend, but working secretly and not showing his hand—acting as the “ghost” of another man’s great-

ness. Now the lady comes, a girl in years, with a bewitching beauty that has already made many men her victims, and among them the Prince, whose nobility is still a tradition. The wife of a man she had hardly seen, she turns her eyes upon the tall Scot, and draws him to her, though he tries to resist. There are spells and incantations and puppet-shows in dens of infamy, to wither one man and attract another.

Then there is a quarrel between two men who have vowed "a friendship of souls." The woman steps between—the child-woman with the beautiful face and the evil heart. And so the drama goes on, and we see a man not without some natural instincts of nobility and honour dragged into a guilty intrigue and drawn along a path of treachery which leads to crime. There is a scandalous divorce, with the King and his bishops as judges, who betray morality. There are murder plots, always with a chorus of witches. There is a prisoner in the Tower, surrounded by enemies conspiring against his liberty and life. He is a poet, and writes verses which sting the woman, and his own epitaph. He is a scholar, and uses his knowledge to concentrate into a few manuscript pages all the venom of men who have been tricked to their own ruin, and all the bitterness of friends who have been betrayed. There is a dreadful corpse in the Tower of London, and outside there is the chuckling of witch-hags and doctors of magic; and in a chamber in Whitehall a beautiful woman with glittering eyes sits smiling, and caressing the flaxen hair of the greatest gentleman in England.

The Court goes to a splendid marriage, where a bride

who was once a wife stands at the altar with her hair down, as the emblem of maidenhood. In the West End and in the East End there are banquetings and junketings; but always there is a ghost at the table who stares with haunting eyes at the beautiful woman who still sits smiling, but with terror in her heart. Two years later a skeleton in the cupboard is discovered when the door is unlocked: and, from the low haunts of London, witch-doctors, and poisonmongers, and paid assassins are brought forth into the light of day, where they stand blinking and trembling. A little later there is dead fruit on the trees at Tyburn and the Tower, and in the great hall at Westminster a lady of quality holds up her hand for blood. On the next day, in the same great hall, there is the last act but one in this drama, when the peers of England are assembled, and the King's judges in their scarlet robes, and when the Lord High Steward of England sits under a canopy of estate, watching and listening to Robert Carr, my Lord of Somerset, who, standing before the bar of judgment, struggles desperately, and not without valour, to free himself from a tangled skein in which he is tightly bound.

Again the ghost appears, gazing upon the prisoner, and its voice is heard by one of the King's counsel, who repeats its dread words with dramatic eloquence: "*Et tu quoque, Brute!* Did not you and I vow a friendship of souls? Did not you sacrifice me to your woman?" The last act of the drama is in a country place, where a man and woman who have defied all laws in order to fulfil their guilty passion of love, are now doomed to bear

each other company, though their love has turned into hatred.

Apart from the drama of this narrative, it should be of interest to all those who enjoy, as I have enjoyed, the intense pleasure of living, as it were, in the life of the past. This story of Robert Carr and Frances, Lady Essex, told in full details, helps one to realise very vividly the character of the Court and City in the reign of James I. It was a time of decadent morality. The English nation had lost for a while some of its pride and cleanliness of heart. After the great excitement of the Elizabethan period a reaction had set in. The loss of the old faith—which in the days of Elizabeth had (except for those who suffered and stood faithful) been replaced by a new patriotic fervour, which was itself a kind of religion to men of Drake's stamp—resulted for a time, at least, in a gradual loosening of moral laws.

Instead of religion there was superstition. The reign of James was filled with witch-burnings. Court ladies and gentlemen went to astrologers and wise women for their spiritual guidance. For the first time in English history the poisoner plied his trade in the narrow alleys and by-ways of the town. It was a fashion that came over with fine clothes and the Decameron from Italy, where the Renaissance had also been followed by decadence, and it flourished like a deadly weed in English life during the days of the first Stuart. The King's system of favouritism, the wild and wanton luxury of his Court, the crowd of greedy Scots who surrounded him, and, with greedy English, plundered the State, began to divorce the mass of



the people from their aristocracy ; and the nobles suffered most. Without the old responsibilities and affection which had bound the great lords of old to those who tilled the land of their fathers, these new men were parasites of the King, Court loungers, and hangers-on. They formed a corrupt caste, out of touch with the people ; and in laziness and luxury dark vices were bred. If all this is good drama, it is also, I hope, honest history.

In this book there has been no endeavour to get romance at the expense of truth. There was no temptation that way, for the plain facts are romantic enough. They have been taken from contemporary chronicles, from old books, old letters, and the State Papers of the time. In spite of the labour of quarrying for these facts, it has been an amiable and quite exciting task on summer days to put them into a narrative which may, I hope, give to some readers the pleasure of getting back for awhile into the days of Stuart England, when the human heart beat as passionately as now, and when there was more colour and pageantry in the adventure of life.

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# KING'S FAVOURITE

## CHAPTER I

### HOW A BROKEN LEG MENDS A FORTUNE

SOMETIME in the year 1607 a great tilting match was arranged to give pleasure to the King, who (though he had a repugnance to the sight of cold steel) liked to see his young men gallantly arrayed, on good horses with fine trappings, and engaged in some merry sport where they were not likely to hurt each other. The discovery of the Gunpowder Plot and the execution of the guilty ones, as well as of some not guilty—for it was well, they thought, to be on the safe side—had been followed by rejoicings at Court which seemed as if they would never cease. To tell the truth, James and his courtiers had an excess of joy which rather scandalised such people as Puritans and sober countrymen, and even old courtiers, who remembered that in the time of Elizabeth, “of glorious memory,” the pageantry of the Court had always been decorous and of a noble kind.

James allowed his young men too much familiarity, and in private life he was not careful enough of his dignity, though publicly and in his writings he upheld the divinity of kingship. His people would have been more willing to accept that doctrine if he had shown better proof of divine inspiration in his daily life. But he neglected the grave affairs of State in these early years of his reign for a continual round of revellings and sports, which exhausted his Treasury and caused loud murmurings among those

who had to deny themselves in order to pay, by impositions and forced loans, for those extravagant pastimes.

Sir John Harrington, writing to his friend Mr. Secretary Barlow at this time, says: "I have much marvelled at those strange pageantries, and they do bring to my remembrance what passed of this sort in our Queen's days, of which I was sometime an humble spectator and assistant; but I never did see such a lack of good order, discretion, and sobriety, as I now have done. I have passed much time in seeing the royal sports of hunting and hawking, where the manners were such as made one devise the beasts were pursuing the sober creation and not man in quest of food and exercise. I will now in good sooth declare unto you, who will not blab, that the gunpowder fright is got out of all our heads, and we are going on hereabouts as if the devil was contriving every man to blow himself up, by wild riot, excess, and devastation of time and temperance. The ladies do go well masked, and indeed it be the only show of their modesty to conceal their countenances: but alack! they meet with such countenance to uphold their strange doings that I marvel not at aught that happens."<sup>1</sup>

The tiltyard at Whitehall, where the match took place, was in the centre of those buildings which had not yet been completed and adorned by Inigo Jones. The palace, built in the beginning by Cardinal Wolsey, was a rambling place, filled like a rabbit warren with many small chambers, where all the courtiers and their ladies, and the host of attendant knights and pages and needy gentlemen, were lodged at the expense of their Royal master. In the yard on these great days a stage was put up, where James sat, sometimes with his Queen—though he had already tired of her now that she had grown fat—and watched the riding at the ring, for which posts had been set in the ground. Having always a great thirst, especially for "sweet, rich wines," a gentleman of the chamber attended him closely, who constantly supplied him with these favourite drinks.

<sup>1</sup> "Nugæ Antiquæ."

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They were strong and heady, so that the father of Coke (who wrote "The Detection of England," in which there are many gossipy anecdotes about the Court of King James), when he managed slyly on one of those occasions to obtain a draught of his royal wine, found that it not only spoiled his day's sport, but disordered him for three days afterwards. Perhaps, however, that was only a righteous punishment for his petty larceny. The king's drinks, says Weldon, another writer of the time, "were of that kind for strength as Frontignac, Canary, high-country wine, tent-wine, and Scottish ale; and had he not had a very strong brain, he might have daily been overtaken, although he seldom drank at one time above four spoonfuls, many times not above one or two."

Yet sometimes, especially in later years, James, in spite of his strong head, was occasionally "overtaken," and this vice he would, we are told, "next day remember and repent with tears." The monarch's maudlin tears were no doubt secretly diverting to those courtiers who most professed to be moved by them.

At the tilting match, therefore, we may see him sitting up on the wooden stage, which was richly draped, sipping at the sweet wines as he watched the gentlemen riders into the lists; and to picture him at the time Sir Anthony Weldon's description of his personal appearance may be quoted.

"He was of a middle stature, more corpulent, though, in his clothes than in his body, yet fat enough, his clothes ever being made large and easy, the doublets quilted for stiletto proof, his breeches in great plaits and full stuffed; he was naturally of a humorous disposition, which was the reason of his quilted doublets; his eyes large, ever rolling after any stranger that came into presence, insomuch as many for shame have left the room, as being out of countenance; his beard was very thin; his tongue too large for his mouth, which ever made him speak full in the mouth, as if eating his drink, which came out into the cup on each side of his mouth; his skin was as soft as taffeta sarcenet, which felt so, because he never washed his hands only

rubbed his fingers' ends slightly with the wet end of a napkin; his legs were very weak, having had (as was thought) some foul play in his youth before he was born, that he was not able to stand at seven years of age; that weakness made him ever leaning on other men's shoulders."

To complete the realistic picture of "the wisest King in Christendom" we may see James plucking at his richly jewelled doublet with dirty fingers glittering with precious gems. Though he lived in palaces, the King was not free from those little creatures which are more often found in hovels. The Countess of Dorset wrote that when she paid a visit of congratulation to the royal family at Theobald's she was surprised at the great change which had taken place in regard to the want of cleanliness since the preceding reign. Soon after leaving the mansion she found herself infested with fleas.

In spite of these personal characteristics, James received the homage of the great English nobles and of the younger men, with whom he loved to surround himself, and whose fortunes he made with prodigal generosity. Among those who by right of birth and rank sat near to the royal presence were the members of the great house of Howard, who held the highest offices of State—Henry Howard, Earl of Northampton, who was now building his great home in the Strand, one of the richest and most learned and most crafty men of his time; Thomas Howard, Earl of Suffolk, and Lord Chamberlain of the King's Household; and Charles Howard of Effingham, now Earl of Nottingham, Lord High Admiral, and the hero of the Armada. The rival family to the Howards, but not so richly favoured by great offices, were the Herberts, of whom the noblest, not only of the family, but of all families in England, was William, Earl of Pembroke, that wise, learned, and gracious man, whose virtues have been immortalised by Clarendon, who knew and loved him. He was the favourite of the Queen, while his brother Philip, afterwards Earl of Montgomery, was best beloved by the King, who found him agreeable for his great knowledge



of horses and dogs, and for his jovial and stable manners. Among the younger men who used to parade before the King in the tiltyard, and cheered on the game-birds in the cockpit and the bull-dogs in the bearyard, and who in the chambers of Whitehall would play such pranks as would make the tears roll down the cheeks of their old dad and gossip (so James called himself, as though he were the father of a great family of unruly boys rather than the sovereign of a proud nation) were Sir George Goring (afterwards so gallant on the King's side in the Civil War), Sir John Finnett, Master of the Ceremonies (and a great stickler for etiquette, in spite of his fooling), Sir Edward Zouch, Sir John Millisent, Sir Henry Rich (afterwards Earl of Holland, and several times a traitor), Sir John Finch, Sir Robert Dudley, and Mr. Henry Howard.

But the most splendid in outward appearance of all the King's friends who rode into the tiltyard of Whitehall this day was Sir James Hay, so famous later as the magnificent Earl of Carlisle. Like many Scottish gentlemen of his time, he was brought up in France, and became an officer of the Scottish archers, who, as all readers of "Quentin Durward" know, were the gallant bodyguard of the French kings. Like too many other Scottish gentlemen, also, he was one of those who came in swarms to England to get the sugar on the King's table when James succeeded Elizabeth. Weldon says that he was introduced to the English king by the French ambassador, and his rise was rapid and brilliant. We may grant that it was not altogether undeserved. In spite of his vanity, which was prodigious, he had a shrewd wit and a cool head, which served him well on many of his embassies. Wilson, that arch-scandalmonger and backbiter, is pleased to say of him that "he was a gentleman every way complete. His bounty was adorned with courtesy; his courtesy not affected, but resulting from a natural civility in him. His humbleness set him below the envy of most, and his bounty brought him into esteem of many."



Lord Clarendon, whose judgment was more measured, and may be more relied on, says that he was "a person well qualified by his breeding in France, and by study in human learning, in which he bore a good part in his entertainment of the King, who much delighted in that exercise; and by these means, and notable gracefulness in his behaviour and affability, in which he excelled, he had wrought himself into a particular interest with his master, and into greater affection and esteem with the whole English nation, than any other of that country."

It is probable that Hay, upon whom the King showered favours and fortune, had lost the uncouthness of the Scots during his long residence in France, and had acquired the elegant tastes and manners of a Court, in comparison to which the household of James I. was rude and barbaric. Certain it is that he was almost as much a favourite with the courtiers as he was with the King; and he was shrewd enough, as well as honest enough, not to meddle in political plots and intrigues.

He used the money lavished upon him by his admiring monarch in a prodigal hospitality which astonished and dazzled his contemporaries. His feasts and masques were more sumptuous and brilliant than anything seen since the days of Elizabeth. But what made him the most brilliant figure in the English Court was the adornment of his person, which he carried to a high art. He brought over French fashions, but eclipsed them in magnificence. The cost of his wardrobe was prodigious; and when afterwards he went over to France, as Ambassador Extraordinary, the number and splendour of his suits became a legend which still lingers in French history. It is said that even his horse was shod with silver horse-shoes, tacked on so lightly that they were kicked off, so that the delighted mob might scramble for them.

Lord Clarendon, whose gravity did not disdain to mention these facts, said that "he was surely a man of the greatest expense in his own person of any in the age he lived; and introduced more of that expense in the

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excess of clothes and diet than any other man ; and was, indeed, the original of all those inventions from which others did but transcribe copies." Arthur Wilson says, with enthusiasm, that "one of the meanest of his suits was so fine as to look like romance."

Wilson describes in detail the dress which he saw at this time.

"The cloak and boss were made of very fine white beaver, embroidered richly all over with gold and silver ; the cloak, almost to the cape, within and without, having no lining but embroidery ; the doublet was cloth of gold, embroidered so thick that it could not be discerned ; and a white beaver hat suitable, brimful of embroidery, both above and below."

Such was Sir James Hay, who rode into the tiltyard, and upon whom all eyes were fixed as the central splendour of an equestrian pageant. He was attended by a number of gentlemen and pages "in their richest ornaments," from which, after they had proceeded round the yard, to show themselves off in all their panoply, there rode out one young man upon a high-bred horse, bearing Sir James Hay's shield and device, which, according to custom, was to be presented to the King.

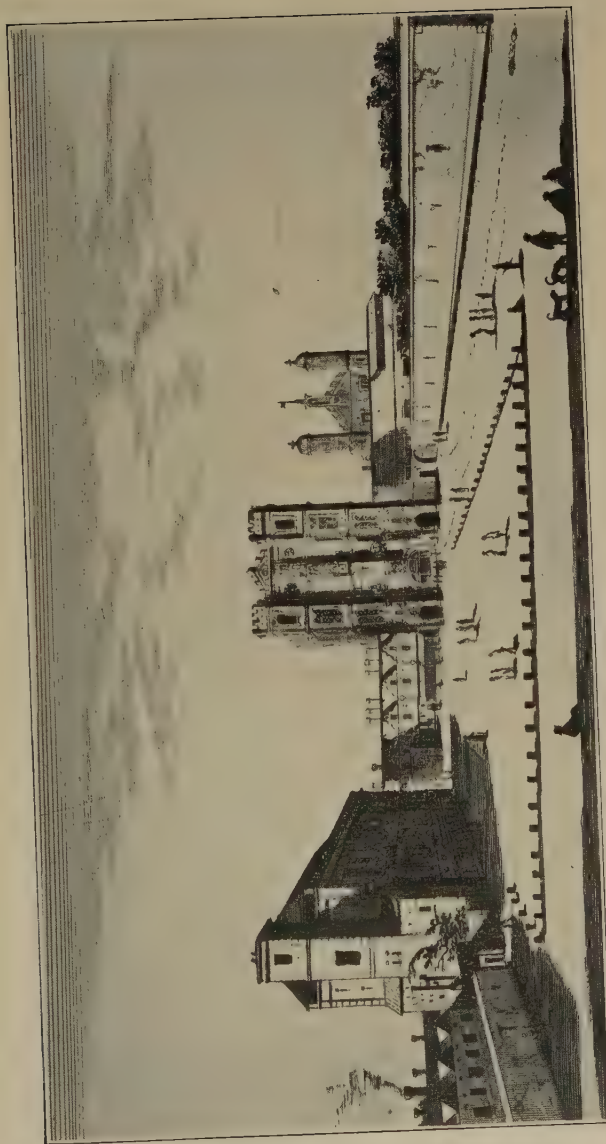
The eyes of the spectators and of the King, who sat aloft, were now directed to this single figure, who was a stranger to all of them. It was seen that he was a young man of about twenty years of age, "a comely personage," says Wilson, regardless of grammar, "mixed with a handsome and courtly garb, which he had been practising in France, and lately come over." "This fellow," cried some of those who saw him, "is straight-limbed, well-favoured, strong-shouldered, and smooth-faced."<sup>1</sup> In order to exhibit his horsemanship the young stranger made his horse prance and curvet, doubtless knowing already that to James the finest sight in the world was a handsome youth on a fine horse. But the animal was "full of fire and heat"; and just as its rider was getting off to present

<sup>1</sup> "Nugæ Antiquæ."

Hay's shield to the king on bended knee, it gave a sudden plunge, which threw the young man off with such violence that his leg was broken. He lay there before the Royal stand, unable to rise, and the ladies who were with the King had time to notice the youth's beauty. Lying prone before them, they were doubtless stirred with pity and admiration. The King himself was much distressed. Constitutionally nervous, as well as naturally good-hearted, he could never see such an accident without the strongest emotion; and in this case the youthfulness and handsome air of the fallen man had softened the heart of one "whose nature and disposition," says Lord Clarendon in his stately way, "was very flowing in affection toward persons so adorned."

When the gentlemen and pages ran to pick up the young man, James gave orders that he should be taken into one of the rooms in the Palace—or, as one writer says, differing from other accounts, "to Master Rider's House in Whitehall"—and that every care should be given to the youth. Then he inquired his name; and when he heard that it was Robert Carr, "remarked," according to Wilson and others, "that he had a page of that name when he came first into England, which this proved to be: for the pages the King brought first with him, according to the French way, to wait upon his coach were discharged, and footmen, according to the English way, supplied their places. The King mustering up his thoughts, fix'd them upon this object of pity, giving special order to have him lodg'd in the Court, and to have his own physicians and chirurgeons to use their best endeavours for his recovery."

It is difficult to say whether Carr had formerly been in the service of the King as page. In the State Papers there are warrants to pay £20 a year to one Robert Carr, Groom of the Bedchamber, in 1604, and to provide him with liveries; but this probably refers to another young man of the same name, who afterwards became one of the favourites of the Queen. But James at least knew the



After an engraving by Silvestre.

WHITEHALL IN THE REIGN OF JAMES I.





name and family of the young man with the broken limb, for he was a cadet of a family which had spilt blood and treasure on behalf of the King's unfortunate mother, Mary, Queen of Scots. The Kers (as the name was spelt in Scotland) of Ferniehurst were of a noble stock, which had been settled in the North since the twelfth century. Originally of Anglo-Norman blood, they had taken a gallant part in many of the Border battles, and later the father of this stranger at Whitehall had shown a chivalrous devotion to Mary Stuart, and his name was affectionately mentioned in many of her letters. That was a good introduction to her Royal son.

His Majesty visited Sir James Hay's young gentleman not once but several times, and showed his personal solicitude for him. He was struck again by Robert Carr's extraordinary good looks. To all accounts he was, indeed, exceptionally well-favoured, moderately tall and well-proportioned, with a ruddy face and long, yellow hair. "For his person," says Arthur Wilson, "he was rather well compacted than tall, his features and favour comely and handsome, rather than beautiful, the hair of his head flaxen, that of his face tintured with yellow, of the Sycambrian colour."

James was also struck by the modesty and ingenuousness of Carr's answers to his questionings when he sat, sometimes for an hour or more, discoursing with him during the progress of his recovery; "and though he found no great depth of literature or experience, yet such a smooth and calm outside made him think there might be good anchorage, and a fit harbour for his most retir'd thoughts." Robert Carr bore himself with much humility, not only now, but for some time after his first favours from the King. This was probably due to a native shrewdness, which enabled him quickly to gauge the character of the man from whom he might hope all things, as well as to disarm the envy of those great nobles and other favourites who could stand in the way of his advancement. But there is no doubt that the young Scot, who, like his first patron

Hay, had travelled in France, had a real grace and charm of manners. Even those who most hated him, and who wrote when it was no longer necessary to curry favour with him, acknowledge that he had "a gentle mind and affable disposition." Lloyd the historian says that "his failings were the fault of his years rather than of his person, of his sodaine fortune rather than of his constant temper; his counsels were safe and moderate, his publick actions honest and plain; his first years of favour industrious and active, his mind noble and liberal, his soul capacious and inquisitive, his temper yielding and modest. In a word, Robert Carr deserved to be a favourite if he had not been one."

It was not long before all the Court were aware that the King had set his affections upon the young man who had so fortunately contrived to break his leg before the Royal stage. Philip Herbert, who had been first favourite, shrugged his shoulders and swore a few stable oaths, but was not much put out. His nature was not made for palace intrigues, and he would let the new man have his run. Sir James Hay himself was good-natured enough not to begrudge the favour shown to one of his followers, and he enjoyed so much of the Royal sunshine that he could spare some to another. Others, when the King made the new man a Gentleman of the Bedchamber, so that he might have daily converse with him, began to grow suspicious and anxious. The Howards, who held great offices and made patronage a family affair, were indignant that the young upstart should be chosen instead of one of their men. Lord Salisbury, now getting rather old and tired, but still very watchful, did not wish to let an ignorant boy stand between him and the King's chamber.

Queen Anne, who held her own Court separately from the King, at Denmark House, was not quick to give her friendship to all young men whose company the King preferred to her own, and Somerset seemed to inspire her with an aversion which she never overcame. The Earl of Pembroke, whom the Queen loved, did not enter much

into the back-chamber politics of the Court. He held himself rather aloof, despising its vulgarities, but taking his place at the Council table, where he spoke fearlessly, without desire of favour. At the beginning he ignored Robert Carr as a young man of no account, but afterwards, when it was seen that the favourite was the only one who counted as regards influence with the King and patronage, forgot at times his natural graciousness and courtesy, and permitted himself to be haughty and insolent to a man he despised as being without learning or ability.<sup>1</sup>

These men, and others in the Court, laughed when, upon Carr's recovery, James "took the pains himself to teach him the Latin tongue, and laid a foundation, by his daily discourses with him, to improve him into a capability of his most endear'd affections." James also attended to his new favourite's personal appearance and bearing, and fitted him out with the fine suits in which he liked to see his courtiers "make a brave show."

"The Prince leaneth on his arm," says a writer in the "*Nugæ Antiquæ*," "pinches his cheeks, smoothes his ruffled garments. The young man doth much study art and device: he hath changed his tailors and tiremen many times, and all to please the Prince. The King teacheth him Latin every morning, and I think some one should teach him English too, for he is a Scotch lad, and hath much need of better language."

In a letter from John Chamberlain to Dudley Carleton, dated December 30, 1607, we read that Robert Carr, "a young Scot and new favourite," was sworn Gentleman of the Bedchamber. On December 6 there is a Royal warrant "To Robert Carr, Groom of the Bedchamber, for a yearly rent-charge of £600, to be paid to him for fifteen years by John Warner and three others, in consideration of a grant to them of certain arrears of rent due to the Crown."<sup>2</sup> On March 22, 1608, there is a warrant to pay £300 to Henryck von Hulfen "for a tablet of gold set with

<sup>1</sup> Letters in the "Court and Times of James I."

<sup>2</sup> Domestic State Papers,

diamonds, and the King's picture, given by the King to Robert Carr, Gentleman of the Bedchamber."

Similar grants and presents were bestowed on the young man, so that he was able to live up to his knighthood and dress as bravely as those other gentlemen like Sir George Goring and Sir John Finnet, who were among the popinjays of the Court. But it was not until 1610 that the King, whose affection had steadily increased towards him, gave him the great gift which placed his position above that of a private gentleman. It brings Robert Carr into relationship with a man of deathless memory, who at that time was wearing out his great heart in a prison chamber of the Tower.

Sir Walter Raleigh, whose name still adds a splendour to the reign of Elizabeth, had held aloof from all those plots which had clouded the last years of the old Queen. But Cecil hated him, and Henry Howard, Earl of Northampton, who was in the pay of Spain, determined to drag down the man who had, with Drake and other great seamen, shattered the Spanish fleets on the high seas. Upon James's progress to England, Cecil and Howard were first to get the ear of the King, and poisoned him against the man who for long had been the favourite of Elizabeth and the hero of the people. Raleigh, arrogant and careless, did not trouble to remove the King's prejudices against him by subservient homage and flattery, though the wretched pun with which the King greeted him was the warning that he should have heeded. "On my soul, mon," said James, "I have heard but *rawly* of thee." All Raleigh's offices, with the Captainship of the King's Guard, were taken from him, and then he was accused on false evidence to be implicated in the "Main" and the "Bye" plots. The chief witness against him was Lord Cobham, who denied his accusations and then affirmed them so repeatedly that no honest man could believe his words.

Raleigh had pleaded passionately that he might be faced by his accuser, but this was not allowed. Then he was placed on his trial, and the Attorney-General, Sir Edward





After an engraving by W. Holl.

SIR WALTER RALEIGH.





Coke, whom we shall meet again in this narrative, treated the noble prisoner with a brutality which has made his own name infamous. Forgetting that this white-headed man had been one of those who defended England from the "Invincible Armada," that he was the founder of English colonies beyond the seas, and that in many a great sea-fight he had struck hard blows at the great enemy of England and her liberties, Coke shouted coarse epithets at him, reviling him as "a monster," "a viper," "the rankest traitor in all England," "a damnable atheist," and "a spider of hell." Raleigh answered his accusers with a dignity and an eloquence which brought back to him again all that warmth of popular enthusiasm which had been cooled by the suspicions of treachery concocted by his enemies. Men who still remembered the glories of the Elizabethan tradition remembered now that here was one of the greatest Elizabethans; and his dignity and courage, his burning words of indignation, his high spirit before his brutal judges, stirred all those in whom there was any patriotism and sense of justice. Yet Raleigh was condemned to death, and reprieved only on the scaffold.

When Robert Carr came to Court, Raleigh was a prisoner in the Tower, trying to relieve the dreadful weariness of his days, and to forget the torture of his inactivity, by the study of chemistry and historical writing. He was allowed a little liberty by the Lieutenant of the Tower, being permitted to walk in a garden and to receive a few visitors, and he repaid this privilege by prescribing and mixing medicines for his gaolers and fellow-prisoners sometimes for distinguished people beyond the walls, his renown being great as a herbalist. Among those who were glad to visit him was young Prince Henry, the eldest son of the King, who came frequently to listen to tales of the Spanish Main and of the splendours of the Elizabethan Court from this man who lived now only in remembrance. "No man but my father," said Henry, "would keep such a bird in a cage"; and he endeavoured, but vainly, to secure the release of the noble captive, who panted to sail once

again on the great seas and to hear the voices of the wind. For this young Prince, whose qualities promised a noble destiny for himself and England, and whose high spirit despised the foolishness and sumptuous squalor of his father's Court, Raleigh had a great affection, and for hours the old man and the young discussed the great memories of history and the principles which should guide princes in their work of government. To him Raleigh dedicated his "History of the World," with which he now solaced his hours in prison, and it was upon him that all his hopes of release were built.

But during this time one great anxiety gnawed at Raleigh's heart, an anxious hope, dearer perhaps than that of liberty itself. It was the desire to assure to Lady Raleigh, the wife who had been bravely faithful to him in good fortune and in ill, some remnant of the wealth which had once been his. But now even this seemed threatened. His castle and lands at Sherborne given to him by the late Queen had been conveyed to trustees for his wife and son. It was discovered, however, to his poignant grief, that a technical flaw in the conveyances made the deed invalid. The King was not slow to take advantage of this, and he intimated his wish that Carr should have the estate. Raleigh sent piteous protests from his prison, but they were answered only by the King's impatient words, "I maun hae the land, I maun hae it for Carr." When Lady Raleigh threw herself on her knees before him as he went through Whitehall, he passed her by in stern silence.

Raleigh then wrote direct to the new favourite a piteous letter dated "From the Tower, Jan. 2, 1608."<sup>1</sup>

"SIR,—

"After manye great losses, and many yeares sorrowes, of both which I have cause to feare I was mistaken in their endes, it is come to my knowledge that yourself (whom I know not, but by an honorable fame) have bene

<sup>1</sup> MS. Harleian, 6908, fol. 4.

persuaded to geve me and myne our last fatall blowe, by obtayning from his Majestie the inheritaunce of my children and nephewes, lost in law for want of wordes. This done, ther remayneth nothinge with me but the bare name of lief, dispoyled of all else but the tythe and sorrowe thereof. His Majestie, whom I never offended (for I ever helde it both unnaturall and unmanlie to hate goodness), stayed me at the grave's brincke ; not, as I hope, that his Majestie thought me worthie of manye deathes, and to beholde all myne cast out of the worlde with my selfe, but as a Kynge who, judginge the poore in truthe, hath retayned a promyse from God that his throne shalbe established for ever.

“And for yourselfe, Sir, seinge your daye is but now in the dawne, and myne come to the eveninge—your own virtues, and the King's grace assuringe you of manye good fortunes and muche honor—I beseech you not to begynne your first buildinges upon the ruyne of the innocent ; and that ther griefes and sorrowes do not attende your first plantacion. I have bene bounded to your nation, as well for many other graces as for the true reporte of my tryall to the King's Majestie ; against whom, had I been found malignant, the hearinge of my cause would not have chaunged enemies into friendes, malice into compassion, and the greatest number present into a commiseracion of mine estate.

“It is not the nature of foule treasons to begett such fayre passions ; neyther woulde it agree with the duetye and love of faythfull subjectes (especialle of your nation) to bewrayle his overthrow who had conspyred against ther most liberall and naturall Lorde. I therefore trust, sir, that you will not be the first that will kyll us outright, cutt down the tree with the fruyte, and undergoe the curse of them that enter into the fieldes of the fatherles ;—the which (yf it please you to knowe the truthe) are farre lesse fruitfull in value than in fame ; and that soe worthie a gentleman as yourselfe will rather bynde us to your service, beinge, Sir, gentlemen, not base in birth and allyance, who have interest therin. And my selfe with the uttermost

thankfulness will ever remayne readie to obey your commandments.

*"To the honourable and worthye knight, Sir Robert Carr, at the Courte."*

There is no record whether Carr answered this appeal. But at least a full examination of the facts of transfer disprove the old belief that Raleigh was robbed of his estate. James, as soon as the judges of the Exchequer had pronounced as to the illegality of the conveyance made by Raleigh to his wife, bought up for £5,000 the interest which Lady Raleigh possessed in the estate during her husband's lifetime. Afterwards he appointed a commission to survey the land and estimate its value, Keymis, one of Raleigh's most faithful captains and followers, being among the commissioners. Upon their report James cancelled the payment of £5,000, and granted a pension to Lady Raleigh of £400 during her lifetime, and that of her eldest son, adding the sum of £8,000 in ready money. Although most of Raleigh's biographers have denounced this transaction as nothing less than a theft of a most scandalous kind, it is now recognised, on the authority of Gardiner, that it was not on the whole a dishonest bargain according to the market value of the estate. On the other hand, when Carr, shortly after receiving the manor, sold it back to the King, he received £20,000, and when in 1615 he bought it again he paid £25,000.

Whatever may be the explanation of these transactions, the whole business was essentially unfair to Raleigh, because as a prisoner of State he was forced to sell the house and lands which he desired to bequeath to his family, and Robert Carr, just rising to his great height of power, was ill-advised indeed to "begin his first buildings upon the ruins of the innocent." It was an evil omen.

But this gift of a great estate from the King, the estate of Elizabeth's favourite to the favourite of James, was of profound significance to those who watched the weather at Court. And other gifts of money which could ill be



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spared from an exhausted Treasury proved to the courtiers who clustered round James with hands eagerly outstretched to snatch at any coin, that Robert Carr of Ferniehurst would have the first pick of the King's purse and favours. They hated him for it, this young man with the Scots burr, who had come riding into the lists of Whitehall, and borne off the prize by the happy accident of breaking his leg. The English gentlemen hated him because he was a Scot. That was reason enough. The King had been followed to town by swarms of beggars, "some in rags and some in tags," and one could not move in the Court or country without hearing a foreign tongue, which jarred horribly on good English ears.

It moved some men to poetry, and their pens were not dipped in honey, but in gall—

Scots from the northern frozen banks of Tay,  
With packs and plods came whigging all the way;  
Thick as the locusts which in Egypt swarm'd,  
With pride and hungry hopes completely arm'd,  
With native truth, diseases, and no money,  
Plundered our Canaan of the milk and honey;  
Here they grew quickly lords and gentlemen,  
And all their race are true-born Englishmen.

When Guy Faux, interrogated at the Council, was asked by one of these "true-born Englishmen" why he had collected such a quantity of gunpowder, he answered boldly, "To blow the Scottish beggars back to their native mountains." Even such a gentle writer as Bishop Goodman could not restrain his prejudice against the nation which had come down from the North. "The truth is," he writes in his Memoirs, "that the wonderful waste at Court did draw on a number of hang-bies, whole families of poor people, especially Scots. This made the courtiers in fear of infectious and dangerous diseases. They were nasty for want of clean linen. There was much stealing, filching, and robbery, and it was not safe for men to walk the streets."

The feuds between the Scots and English which had

harried the Border for centuries were now continued in a private way in the English Court and city. Often enough a saucy 'prentice would pluck off the blue bonnet from some hard-headed Scot, who strode through Cheapside gazing at the books, and wondering how he could fill an empty stomach, like so many of his fellow-countrymen, who had grown fat in the King's antechambers. Then there would be a shout of "Clubs! Clubs!" when the offended Scot laid about him with the flat side of a broadsword; and as all who have read "The Fortunes of Nigel" know, blood sometimes flowed outside the booths. And blood sometimes flowed in quieter spots, in the neighbourhood of St. James's and Westminster, where many duels took place between the gentlemen of both nations.

In these affairs the Scots did not always get the best of it, but otherwise the laugh was on their side. The King, who, before he left Scotland, had stood up in the Church of St. Giles after the sermon and sworn not to forget his countrymen, had kept his oath, not wisely but too well. He had given many of the best places to those who spoke English with "deeficulty," and thrust vast sums of English gold into the hands of those he most favoured. At the marriage of Ramsey, Viscount Haddington, with Lady Elizabeth Ratcliffe, he paid Ramsey's debts, amounting to ten thousand pounds, though he had already given him one thousand pounds per annum in land, and sent to the bride a gold cup in which was a packet containing a grant of lands of six hundred pounds a year. His presents at different times in money to Lord Dunbar amounted to fifteen thousand two hundred and sixty-two pounds; to the Earl of Mar to fifteen thousand five hundred pounds, to Viscount Haddington to thirty-one thousand pounds.<sup>1</sup> To provide money for this prodigality James issued "privy seals" and raised forced loans, which laid a heavy burden on the people. When Parliament disputed his right to levy these impositions he replied angrily that he would never suffer any question to be made of his power. Yet he

<sup>1</sup> Lingard.

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condescended to make an apology when the House of Commons protested against the undue favour shown to the Scots at the expense of the English.

"Had I," he said, "been oversparing to them they might have thought Joseph had forgotten his brethren, or that the King had been drunk with his new kingdom. If I did respect the English when I first came, what might the Scotch have justly said if I had not in some measure dealt bountifully with them, that had so long served with me, and been so faithful to me? Such particular persons of the Scottish nation as might claim any extraordinary merit at my hands I have already reasonably rewarded, and I can assure you that there is none left for whom I mean extraordinarily to strain myself further."

Yet it was only shortly after the utterance of those words that he became the doting master of Robert Carr, for whom he must find more English gold. It was not easy. The enormous number of his pensions, the lavish scale of his household, the gifts he had showered on his favourites, had quite drained his Treasury, and, in spite of the outward magnificence of the first Stuart Court, it soon became poverty-stricken, and the King's officers were at their wits' ends for money. Those who had forced their way into the Royal Household, greedy for plunder, were the first to cry out when their wages were unpaid, and once they stopped the coach of the Lord Treasurer with a great clamour, preventing him from going farther until he swore to satisfy them.

Even James, who, having lived leanly in Scotland, imagined that his new kingdom was an inexhaustible treasure-house, was induced to make occasional economies. Roger Coke, in his "Detection of England," tells a story of how James presented the Earl of Somerset at one time with an order for twenty thousand pounds, which in those days was a vast sum of money beyond the dreams of avarice. Salisbury, the Lord Treasurer, was scandalised. Desirous of making the King aware of the enormous amount which he was squandering on his favourite, he

invited James to an entertainment, at which four sums of five thousand pounds each were purposely placed on as many tables in an apartment through which James was to pass. The King, who had never before seen so much money at one time, inquired the reason of this display. He was overwhelmed when he was told that these heaps were the amount of the sum which he had ordered to be paid to Somerset.

"Zounds, man," he cried, "five thousand is enough to serve his turn," and that was all Carr got at that time.<sup>1</sup>

Carr himself was satisfied. From a hanger-on of Sir James Hay's he had been lifted up to a great height, after that fortunate fall from his horse. So much was lavished on him that he could afford to be generous, even to the master from whom he received his gifts. At no time, indeed, does he seem to have been greedy for gold, but took and spent carelessly, and there is on record more than one instance of his having refused to accept gifts which the King could ill afford.

In a letter from Mr. John Packer to Sir Thomas Edmondes<sup>2</sup> we read that "Sir Robert Carr hath compounded with my Lord Knyvet for the keeping of this house and St. James's Park; in consideration whereof the King giveth my Lord Knyvet £2,000 which, they say, is all that Sir Robert will take of his Majesty, who offered him £8,000, but he refused it, alleging that he had no reason to be so chargeable to him since he was in necessity himself, and would content himself with those means which his Majesty had already bestowed upon him."

It was perhaps the most surprising thing ever recorded of one of those Scots who swarmed in the Court, and staggering to those who hated him. But Carr was playing his cards well, and determined to secure the friendship of the great English nobles who still held power in the land and had sufficient weight in the Court to check his advancement. He was careful to give no further offence than was

<sup>1</sup> Bishop Goodman confirms this story.

<sup>2</sup> "Court and Times of James I."



due to the natural jealousy of his position, by soliciting favours for Scots who were still beggars and out-of-elbows from the master who leant upon his shoulders.

He surrounded himself with gentlemen of English birth and turned the cold shoulder to his own countrymen. And in these early days he carried himself modestly, cap in hand to the Howards, who were still haughty towards him, smiling and amiable to all who desired his influence with James, and biding his time patiently until Salisbury and "the old gang" should die off or lose the Royal favour, so that he would then secure supremacy undisputed. Already he had "the King's ear," and a whisper from him could make or mar many gentlemen who desired advancement. His rise had been so notable that to mend a fortune by breaking a leg became a byword in taverns where wits and poets met, and the jest inspired one of these ingenious gentlemen named Lane with some verses, which still survive :

Let any poor Lad that is handsome and young  
With *Parle vous France*, and a Voice for a Song,  
But once get a Horse and seek out good James,  
He'll soon find the House, 'tis great, neare the Thames,  
It was built by a priest,<sup>1</sup> a butcher by calling,  
But neither priesthood nor trade could keep him from falling.  
As soon as you ken this pitiful Loon  
Fall down from your Nag, as if in a Swoon,  
If he doth nothing more, he'll open his Purse  
If he likes you ('tis Known he's a very good Nurse).  
Your Fortune is made, he'll dress you in Sattin  
And if you're unlearned he'll teach you Dog Latin.<sup>2</sup>

So we find Robert Carr secure as First Favourite. With youth on his side, and handsome looks which softened the hearts of those inclined to hate him, with a natural shrewdness of wit, though without learning, and with an ambition which was disguised under an apparent modesty and gentle manner, it was evident to those who knew the King's

<sup>1</sup> Cardinal Wolsey.

<sup>2</sup> "Memoirs of the Life and Writings of Ben Jonson," by W. R. Chetwood.



disposition that this young man was worth flattery and service. We may admit, as his contemporaries admitted later, that at this time he had some agreeable qualities which made him worthy of success, and gave, indeed, a promise of nobility ; being generous with the gifts that had fallen to him, and not using his place at the King's ear for evil purposes. Not yet had he met that woman who by an evil beauty was to lure him into the pitfalls of sin, and to entice him, like a witch-hag, to his own destruction.

## CHAPTER II

### THE FAVOURITE MAKES GREAT FRIENDS AND ENEMIES

**D**URING the next four years at Court Sir Robert increased his hold upon the King's affections, and his fortune was steadily advanced. Consulting the "State Papers" for 1611, we find on March 25 the ceremonial for creating Sir Robert Carr Viscount Rochester. On May 27 he was granted the Barony of Winwick, "a lordship of his in Northamptonshire." On May 1, with Charles Duke of York, afterwards Prince of Wales, and the Earl of Arundel he was installed Knight of the Garter; and under the same date there is a "warrant for delivery of stuff" for the robes, or "livery," as it was called, for the ceremony. On June 8 there is a "warrant to draw out a grant of augmentation of arms and supporters to Robt. Carr, Visct. Rochester." On June 12 he is made Keeper of Westminster Palace for life. On June 26 there is a "warrant to pay Visct. Rochester £8,000, still remaining due to him from sums bestowed on him by his Majesty." On July 2 there is a "Grant to Robt. Visct. Rochester, in fee simple, of the castle of Rochester, with all appurtenances, excepting knight's services." On July 11 there is a "warrant for certain payments to Visct. Rochester, as Keeper of the Palace of Westminster, in place of Lord Knyvet, for keeping and preserving wild beasts and fowl in St. James's Park and Garden and Spring Gardens, and for gardeners there, etc." <sup>1</sup>

<sup>1</sup> Domestic State Papers.

It seemed as if James could deny nothing to this tall young man with the long flaxen hair and the handsome, florid face. It was rumoured that his Majesty was looking out for a rich bride for his favourite, and gossipmongers who heard the whispers of the Court mentioned the name of Lady Anne Clifford.<sup>1</sup> She was the daughter of the Earl of Cumberland, and an heiress worth having. But it seemed that the Scotsman was not in a hurry to marry. This was strange, for it was the high road to the greatest fortune. Others whispered that he had set eyes on some one more exalted than the Lady Anne; but as yet they did not dare to name the lady, except in rooms where there were no eavesdroppers.

A further study of the State Paper of the time affords sufficient proof that the favourite was the fountain-head of Court patronage. Thus we find, among many others, so powerful a man as the Earl of Dunbar soliciting his favour. He thanks him for his friendly offices with the King in a certain suit, and hopes to see him shortly.<sup>2</sup>

But there was a greater man than Dunbar who stooped to flatter the young Scot and to beg for his friendship. This was Henry Howard, Earl of Northampton, who was playing a deep game at this time. Having been the friend and ally of Cecil in the last days of Elizabeth, and his partner in the intrigues of the Court and Council Chamber when James had first come to the English throne, he was now bitterly envious of "the little Lord," as he called him, who had so won the King's confidence that he had obtained the office of Lord Treasurer. This place gave the greatest opportunities for private plunder, and Northampton, who, as a patron of arts and a great builder, had expensive hobbies, was in continual need of gold. His new palace in the Strand and his princely hospitality had been a great drain even upon the resources of a Howard, in whose family so much of the country's wealth had been gathered. He had risked much to get the place, even his immortal

<sup>1</sup> "Court and Times."

<sup>2</sup> Domestic State Papers.



From a photo by Emery Walker, after a portrait in the National Portrait Gallery by Marc Gheeraerts.

# CONFERENCE OF THE ENGLISH AND SPANISH PLENIPOTENTIARIES IN 1604. (Showing the leading Statesmen of James I.)

The Commissioners for the King of Great Britain are on the right of the picture.  
 Thomas Sackville, first Earl of Dorset, K.G., is next the window with his wand of office.  
 Charles Howard, first Earl of Nottingham, K.G.  
 Henry Howard, first Earl of Northampton, K.G.  
 Charles Blount, Earl of Devonshire, K.G.  
 Robert Cecil, afterwards first Earl of Salisbury, K.G.





soul—for though he was of the old faith, he heard his masses very privately, kept his priests out of the public eye, and posed for a time as a Protestant. This was to gain the friendship of James, whom he despised as a boor without manners, and a pedant without taste.

As the brother of the Duke of Norfolk, who had lost his head in the cause of poor Marie Stuart, and as the son of the brilliant Earl of Surrey, who, as a poet, a scholar, and a chivalrous gentleman, had been one of the shining stars round Elizabeth's throne, he had a right to expect favours from the King. And James was not ungrateful nor ungenerous. Though the Puritans murmured against this notorious "recusant," Lord Henry Howard, as he then was, became a Privy Councillor when James first sat in the Council Chamber in Whitehall; in the January following he was made Lord Warden of the Cinque Ports, and in March Baron of Marnhill and Earl of Northampton. But James, who was a shrewd judge of character at times, when his personal affections did not unbalance his judgment, gave to Cecil, "his little beagle," as he called him, the highest offices of State and the control of political affairs. He attempted to mollify Northampton, who had coveted the Treasury, by the office of Lord Privy Seal, and honoured him with the Garter.

It should have been enough; but he was a man of dangerous ambitions, and craved a greater power. He was a dreamer, too, and had visions of restoring the Catholic faith to England by an alliance with Spain, with whose Ministers he corresponded secretly, and by a marriage between young Henry, Prince of Wales, and the Spanish Infanta. It was for that reason, as well as for the furtherance of his private fortune, that he waited eagerly for Cecil's death, and poured out a fulsome flattery upon the King's majesty, who could never have too much. And it was for that reason that this nobleman, one of the heads of the great house of Howard, sought out the young favourite, Sir Robert Carr, who was nearest to the King in the Chambers of Whitehall.

Carr should have been warned. He should have been wise enough to see that such a friendship, however flattering to his vanity, was dangerous and full of traps. There were others who saw to the heart of the man. Sir Francis Bacon's mother had warned her son against him. "He is," she said, "a dangerous, intelligencing man; no doubt a subtle Papist inwardly, and lieth in wait." And at another time she wrote: "Avoid his familiarity as ye love the truth and yourself. Pretending courtesy, he worketh mischief perilously. I have long known him and observed him. His workings are stark naught." Rowland White, writing to Sir Robert Sydney, said: "Lord Harry is a ranter, and I pray you take heed of him, if you have not already gone too far." Sir Anthony Weldon says: "Though not a wise man, he is the greatest flatterer in the world."

No doubt the fact that he was a Catholic prejudiced his Protestant contemporaries; and we who have not this prejudice may allow something for that. The man must have had a great charm of manner; and, in spite of his undeniable villainy, he was a scholar, and had many fine tastes. Educated at King's College, and afterwards at Trinity College, Cambridge, he had in his blood the traditions of the New Learning. And he knew life as well as books. To his secretary, George Penny, he once told a curious story of a prediction made to his father. An Italian astrologer told the Earl of Surrey that his son, who was then a child, would in middle life be so poor that he would actually be in want of a meal. That prediction, which then seemed ludicrous, was fulfilled, for when the Duke of Norfolk went to the scaffold the family estates were forfeited to the Crown, and Henry Howard "was often fain to dine with Duke Humphrey," a phrase which meant that he went hungry among the loungers in Paul's Walk. Here he could be seen, a shabby, handsome man, poring over the bookstalls by Paul's Churchyard, satisfying for nothing his mental appetite, though his stomach starved. Thus had he seen life in its lowest phases, and

had rubbed shoulders with many rogues and wits as poor as himself. In after-life, when he was raised again, he would often remember those old days of hunger; and it gave a salt to his feasts when he sat at the high table in Northumberland House, and flavoured also his witty and learned speech.

It was natural that when the Earl went out of the way to win the friendship of Carr, the young knight could not resist his flattery. There grew up between them a friendship which, as we shall see, was infinitely perilous to the favourite. This alliance was also dangerous to the destinies of England, for Carr, influenced by the Earl, who was openly reported to be in the pay of Spain, was drawn over to the party which favoured a Spanish match, that fatal policy which was most harmful to the reputation of the King with the great mass of his people, and led not only to the deplorable intrigues and follies of the mission to Madrid by Buckingham and Charles, but eventually to a disastrous war.

It was Carr's friendship with Northampton, and the use of his influence with James on behalf of the Spanish party, that made him his greatest enemies at Court. The Queen had always distrusted Northampton, and after a forced reconciliation by James she hated him. Pembroke, her own favourite, was not over-friendly to a man whose policy seemed to him a treachery to the Elizabethan tradition, and Ralph Winwood, afterwards one of the secretaries, and the staunchest supporter of the national hostility to Spain, had his spies, who watched and waited until they could denounce this man. When, therefore, Sir Robert Carr was known to be in private correspondence with him, and a frequent guest at his table, the anti-Spanish party included him in their hatred.

The head of the party was not the Queen—who, poor soul, neglected by James, and living in separate state at Denmark House, spent her life in the foolish amusements of masques and revelries (not of too decorous a kind)—but Henry, Prince of Wales.

This young man showed an early promise of brilliant and noble qualities. All contemporary historians unite in their homage to his virtues and talents ; and if we were to believe them to the letter, we should have to imagine young Henry gifted with all the graces and accomplishments that make for greatness. This need not be granted, yet, allowing for the adulation of those whose wish was father to the thought, and who saw in Prince Henry all the qualities most lacking in King James, we may acknowledge that he was an intelligent, generous-hearted, and patriotic boy. As a child he showed a love for military glory, and was what we should now call a young Jingo. When asked what musical instrument he best liked, he answered "A trumpet." And when the French Ambassador, Monsieur de la Boderie, took his leave and asked if he could deliver any message from him to the King his master, the young Prince answered with spirit: "Tell him the manner in which you see me employed." He was then practising himself with the pike.

Henry IV. of France, to whom his wit and courage had been reported, was singularly interested in the character of the heir to the English throne, and instructed his Ambassador to treat him with particular respect. De la Boderie was filled with a genuine admiration for the manliness and athletic tastes of young Henry. "He is a Prince who promises very much," he wrote, "and whose friendship cannot but be one day of advantage." Henry sent to the Dauphin of France a gift of hounds, and the Ambassador recommended that the latter in return should send over "a suit of armour well gilt and enamelled, together with some pistols, and a sword of the same kind, and," he says, "if he adds to these a couple of horses, one of which goes well, and the other a barb, it will be a singular favour done to the Prince."<sup>1</sup>

Writing to France at another time, Monsieur de la Boderie gives a fuller description of the heir-apparent.

"He is a particular lover of horses, and what belongs to

<sup>1</sup> Birch's "Life of Prince Henry."





From a photo by Emery Walker, after the picture by P. van Somer,  
in the National Portrait Gallery.

HENRY STUART, PRINCE OF WALES, K.G.





them, but is not fond of hunting ; and when he goes to it it is rather for the pleasure of galloping than that which the dogs give him. He plays willingly at tennis, and at another Scots' diversion very much like mall ; but this always with persons older than himself, as if he despised those of his own age. He studies two hours a day, and employs the rest of his time in tossing the pike or leaping, or shooting with the bow, or throwing the oar, or vaulting, or some other exercise of that kind, and he is never idle. He shows himself likewise very good-natured to his dependants, and supports their interests against any persons whatever, and pushes what he undertakes for them or others with such zeal as gives success to it. For, besides exerting his whole strength to compass what he desires, he is already feared by those who have the management of affairs, and especially the Earl of Salisbury, who appears to be greatly apprehensive of the Prince's ascendant ; as the Prince on the other hand shows little esteem for his lordship." <sup>1</sup>

In spite of the French Ambassador's friendliness, Henry cherished the old traditional enmity to France, fostered by the chronicles of Froissart (which were read by all English gentlemen with a taste for history and letters) and by the heroic memory of his ancestors. He cherished the idea of regaining Calais, and when, in the year Carr came to Court, the Prince de Joinville returned from England to that town, Henry sent over an engineer in his suite with secret orders to examine and report upon the fortifications. With an ambition to lead English troops to victory, he had the habit of going for long and fatiguing walks in order to train himself to endure harassing marches.

He was also a diligent student of naval affairs and of naval architecture. Raleigh was his chief adviser, and there is in existence a long and interesting letter from the great Elizabethan seaman to the young Prince, addressed from the Tower, giving detailed plans for the building of a ship of war.

<sup>1</sup> Birch.

"To make her strong," said Raleigh, "consisteth in the care and truth of the workman ; to make her swift, is to give her a large run or way forward, and so afterward—done by art and just proportion ; and that in laying out of her bowes before, and quarters behind, the shipwright be sure that she neither sink nor hang into the water, but lie clear and above it ; wherein shipwrights do often fail, and then is the speed in sailing utterly spoiled."<sup>1</sup>

Phineas Pett, a famous naval architect of the time, was another of Henry's instructors, and when he was accused by rivals of incompetency and corruption, the Prince bore out the French Ambassador's words that he supported the interests of his dependants "against any persons whatever." Poor Pett was examined on his knees before the King. "I was at length," he says, "almost disheartened and out of breath, but the Prince's Highness, standing near me, from time to time encouraged me as far as he might without offence to his father, labouring to have me eased by standing up, but the King would not permit it." When the King at last gave judgment in favour of Pett, Henry cried out with boyish ardour, "Where are those perjured fellows that dare abuse the King's majesty with their false accusations ? Do they not worthily deserve hanging ?"

"'Pon my soul," said James, with one of the flashes of wit which not infrequently enlivened his pedantic speech, "the *cross-grain* appears to be in the men and not in the timber."

Such was the young man upon whom a good part of the nation set their hopes for the future prosperity and glory of England. Professing always a staunch Protestantism, a hater of Spain and the Spanish party, and a youth of high ideals, scholarly tastes, and manly character, it seemed to the old courtiers of Elizabeth's days, and to the Puritans and sober middle-classes of the country, that he would raise the English Court from that slough of vice and vulgarity into which it had fallen, and restore those liberties which were so violated by James and his advisers.

<sup>1</sup> "Life of Raleigh," by Edwards,

It may have been, if Henry had been spared. Yet it is probable that, with the fatal Stuart habit of overriding the people, he would not have been more amenable to the wishes of the Commons than the brother who afterwards succeeded to the throne, and went his way to the scaffold. He seems indeed to have shared many of the characteristics of that brother. Like Charles, he was proud and sensitive, arrogant when thwarted, and self-willed. Like Charles, also, he was, according to the standard of his time, a chaste and pure man, loathing the immorality of those who crowded round James at Court.

He held himself aloof as far as possible from those rowdy young men like Philip Herbert, afterwards Earl of Montgomery, who disgraced Whitehall by their horseplay and coarse practical jokes. He held his own Court at Oatlands, Nonsuch, Hampton Court, and St. James's; and though, according to many accounts, the King was jealous of his son, and resented his idealism, he allowed the Prince to keep a splendid state. Henry's household indeed was on a magnificent scale.

"The establishment of the household," says Birch, "for the Prince and his sister the Lady Elizabeth, at Otelands, by the first book signed by the King on the 25th of July, 1603, consisted of seventy servants, twenty-two of whom were to be above stairs, and forty-eight below. But his Majesty, some weeks after, enlarged their number to an hundred and four, fifty-one of whom were appointed for the chamber, and fifty-three for the house. They were still further increased by him before the end of the same year, 1603, to one hundred and forty-one, fifty-six above stairs, and eighty-five below."

From this Prince Robert Carr received no favour or friendship. Henry, who had a natural hostility to the young men with whom this doting father surrounded himself, despised the new favourite as an upstart who had no right to such intimacy with the King, and distrusted him as the friend of the Spanish party. It was also galling to him that Carr should be consulted by his father over the

various projects put forward for his marriage, and that this Scottish adventurer should be the intermediary on such subjects between the King and his son. This question of marrying the heir-apparent was the chief cause of all the plots and intrigues at Court, in which Carr, as first favourite, was intimately concerned. One party urged that it should be the means of forming an alliance with France. Another proposal strongly put forward was for a marriage with the house of Savoy. But the Spanish party desperately endeavoured to secure the hand of one of the Spanish princesses for young Henry. James, in his usual vacillating way, leant now to one side and now to another, but Northampton and Carr kept whispering of the wealth of Spain.

About the end of March or the beginning of April 1601, a double marriage was proposed to the Privy Council by the Duke of Savoy's ambassador between the Prince of Wales and the eldest daughter of Savoy, and between the Prince of Savoy and Henry's sister, the Princess Elizabeth. One of the opponents of this match was Sir Walter Raleigh, who, probably at Prince Henry's request, wrote two discourses on the subject from the Tower.<sup>1</sup> He advocated an alliance with France, believing that the present friendship between France and Spain could not last long, and that France, sooner or later, would find herself in opposition to her natural enemy. A year later the Duke of Bouillon came over to England to negotiate a marriage contract between the Prince and a daughter of Henri IV. In the meanwhile, owing to the private influence of the favourite and of the old Earl, Sir George Cornwallis and, later, Sir John Digby, were sent to Madrid to negotiate for the Spanish Infanta.

The commercial bargaining which, as a rule, was the chief interest of a Royal alliance, was in this case complicated by religious difficulties. James himself was not prepared to allow any more than the private right of worship to a Catholic wife of his son, and Henry, who was

<sup>1</sup> Birch's "Life of Prince Henry."



strongly prejudiced against marrying a Catholic at all, insisted that "whatever freedom might be allowed her in the exercise of her faith it should be conducted in the most private manner possible." The Earl of Salisbury was now getting feeble in body, but was still very watchful of what he honestly believed to be the interests of England. He was against the Spanish alliance; and it was his anxious wish that the King's children should marry into Protestant Royal families who would throw their weight against Austria and Spain. But the Lord Treasurer had to move very cautiously in these last days of his life. The King's moods were so variable from month to month, even from day to day, that his Minister could never depend upon his word or policy, and had often to feign acquiescence of negotiations which he utterly abhorred. With enemies on each side eager to drag him down, the old statesman had to defend his place with all the arts of diplomacy of which he was a past-master.

As it happened, the religious and political difficulties proved irremovable stumbling-blocks to both the French and the Spanish negotiations. Digby found that the Spanish Court was merely playing with him, and that the Infanta was already destined for the Dauphin of France. If, however, the Prince of Wales would be content with her sister Maria they would be ready to negotiate on the subject. Yet Digby knew that this also was merely a political fiction, for it was openly said in Spain that the only condition of the match would be for Henry to become a Catholic—an impossible thing for the heir of a Protestant country, who had vowed "that he would never allow two religions to lie in the same bed." Digby begged the King to give up all thought of a Spanish match. The Infanta Maria, he said, was a mere child, not yet six years of age, and it was certain that the Spaniards were only playing upon his credulity.<sup>1</sup>

The Duke of Bouillon, too, seemed to have exceeded his instructions on behalf of France; and it was discovered

<sup>1</sup> Digby to the King. Domestic State Papers.

that he had no right to negotiate for the elder daughter of France. He wished to satisfy the young Prince with the second daughter, who was but a child of tender years.

Robert Carr, now Viscount Rochester, was appointed by James to correspond on the subject with Henry, who was in a fretful state of mind owing to these interminable intrigues, but was anxious to avoid an open breach with his Royal father. He bided his time until he could go over to Germany with his beloved sister Elizabeth, who had been engaged to the Elector Palatine, when he would find a wife of his own choosing.

There is an interesting letter from Carr to Prince Henry which shows that the favourite was in the centre of these marriage projects.<sup>1</sup>

"PLEAS YOUR HIGHNES (he wrote),—

"I am by his Majesty commandit to send your Highnes this Dispatche from France as a mater personally concerninge your self, whairin his Ma. observes two things, first that the Match with the eldest daughter is utterly desperate; next that this proposition for the seconde daughter is so strongly apprehendit as they will infuse no conditiones that with reason may be demandit, and will accommodat all difficulties and hinderances that may in any sort interrupt the issue of a work so much acceptable, and by them passionately taken hold of; only that incongruity betwixt your Highnes age and hers is one inconvenience which neither syde can help.

"As for the portione which, accordinge to the example of the elder sister, is but five hundreth thousand crownes, His Ma<sup>ty</sup> notwithstanding under other pretences thinks thair may be hope in respect of thair earnestness to increase the Summe.

"In conclusion his Ma<sup>ty</sup> wills that your Highnes consider that the Lady can not be maid rypper nor fitter than her age permittes, which is no more than Nyne yeers; but with all desyres to heere your highness free opinione

<sup>1</sup> Ellis's Original Letters.

## The Favourite Makes Friends and Enemies 35

what your conceyte is of this particular compared with the others. So humbly taking my leave I rest

“at your Highnes command,

“RO. ROCHESTER.

“ROYSTONE, *Saturday, 9 at night.*”

Prince Henry's answer to this letter was cold and formal, but we may read into it some of that perplexity and irritation which had exasperated the young man with all these impossible proposals, and heightened the continual animosity between him and the favourite.

“MY LORD (he wrote),—

“Having perused the Dispathe which together with your Lordship's Letter was sent unto me, and according to His Majestys command considered of the points concerning my self in particular, I have retourned you this enclosed Answer to be delivered unto His Majesty wherein if I do not fully satisfie His Majesty's expectation, I hope so much the more to be excused that I choose rather to betray the weakness of my judgment by obedience, than that His Majesty should not fynd in me a willingnesse to do my best endeavour for the satisfying of all his commandments, which I doubt not you will beleev.

“Yo Lordships good friend

“HENRY.”

There is no doubt that Robert Carr's influence with James in the proposals for a Catholic wife for Henry was one reason for the hatred which the heir-apparent had against the favourite. This was notorious in the Court, and Henry did not attempt to disguise it. Francis Osborne in his Memoirs reports that on one occasion the Prince struck the favourite on the back with a racket.<sup>1</sup>

Arthur Wilson also mentions the continual bickerings between the Prince and the Viscount, and that “Sir James Elphinstone observing his Highness one day to be dis-

<sup>1</sup> Francis Osborne's “Traditional Memoirs of James I.”

contented with the Viscount, offered to kill him ; for which the Prince reproved him, and said that if there were cause he would do it himself." <sup>1</sup>

Carr himself, aware of the Prince's hostility, was naturally anxious to prevent him from having any political influence at Court, knowing that in that case his own doom would be sealed. At the same time, however, he was anxious to appear friendly to the Prince of Wales, looking far ahead, and thinking of the time when this young man would be King, with the power of life and death. When, therefore, the Prince sent a request to the King that he might be appointed to preside in the Council, it was Carr who urged James to lay his son's petition before the Privy Councillors. The story is told by the Scottish historian Johnston, and on the face of it seems to redound to the credit of the favourite, but, reading between the lines, we must suspect that Carr was really playing the double game of which he was accused by Cecil.

"The Earl of Salisbury," says Johnston, "jealous of the growing power of Rochester, and a thorough master of artifice and dissimulation, used all his efforts to defeat whatever measures were proposed by his rival; and being asked soon after his opinion upon this point, whether it was for the public interest that the Prince should preside in the Council, answered that he thought it would be dangerous to divide the government, and to invest the son with the authority of the father. Many others of the Privy Council having delivered their opinions on the same question, that of the Earl of Salisbury was adopted by the majority. But his lordship [Salisbury] soon took an opportunity in a secret conference with the Prince to lament his own situation, and to persuade his Highness that Lord Rochester had the only influence in the palace, and privately counteracted all his designs. The Prince, on his part, resented the denial of his request and his exclusion from public business. It was not long before Lord Rochester discovered the Earl of Salisbury's practice against him with the Prince,

<sup>1</sup> "Life and Reign of James I."



to whom he therefore went to clear himself. But his Highness turned from him with great indignation, and would not hear his justification. The Queen likewise, highly displeased with the Viscount, refused to see him, and sought all means of lessening his power."<sup>1</sup>

Whatever means the Queen used, they were not successful, for James avowed that of all men in the world Carr was the one he best loved. It is probable also that Henry's hostility to the Favourite was in itself an inducement to the King to bring Carr closer into his councils; for there were men who whispered that the Prince's coterie was dangerous to the State, and that the young man was being incited by scheming and restless friends to thwart his father's authority and will.

There was another cause of offence between the heir-apparent and the Favourite. Among the ladies who visited the little Princess Elizabeth, the sister whom Henry loved with an almost passionate devotion, was Arabella Stuart, unfortunate because she was so nearly related to the King, who lived in fear of plots. The Lady Arabella was his first cousin, being the daughter of Charles Stuart, fifth Earl of Lennox, and descended, like James himself, from Henry VII. A charming, sweet-natured, and talented girl, she became, against her own wish, the figurehead of many political intrigues. Even Queen Elizabeth had frightened James by pointing to her as a possible successor to the English throne. To the French Ambassador she said once when Arabella was twelve years old, "Do you see that little girl? Simple as she looks, she may one day sit in this chair of state and occupy my place." The Catholic party in England had many plans for marrying her to a prince of their faith, and raising her to the throne of England. The plot for which Grey, Cobham, and Raleigh were suffering imprisonment was based on this design. The girl herself persuaded James that she was innocent of any great ambition. In one of her letters she assured him with a simple candour that it was possible for

<sup>1</sup> Birch's "Life of Henry, Prince of Wales."



a woman to retain her purity and innocence in the midst of the follies with which a life at Court was surrounded.

On the whole, James treated her well in the early years of his reign. In reality she was a prisoner of State, but it was in a gilded cage, and she was allowed a handsome income. Prince Henry had a high regard for her, and showed her both affection and respect. Many offers were made for her hand, but James opposed them all, and it became clear to the world that he intended to keep this beautiful woman in the single state.

But love finds out a way; and James was shocked and furious when he learnt one day that the Lady Arabella had become secretly engaged to young William Seymour, son of Lord Beauchamp, a grandson of the Marquis of Hertford, in whose veins was a strong strain of the Blood Royal. Seymour was the one man in England whom James would never allow his cousin to marry, for such an alliance might well be made a plausible title to the Crown by the enemies of his own succession. The lovers were at once separated, and Seymour was bound over by promises to give up his affianced wife. But a high and chivalrous passion broke down these pledges, and the Lady Arabella was secretly married to young Seymour at Greenwich.

James was in a pitiful state of terror. He smelt treason in this business, and fear made him cruel. He committed the wife to the custody of Sir Thomas Parry at Lambeth, and the husband to the Tower. From her place of custody Lady Arabella wrote imploring letters to James, but he answered that "she had eaten the fruit of the forbidden tree." Then the poor lady's health broke down, and she was allowed to go to Barnet to recruit herself, on the way to Durham, where she was in future to be kept. From that place she made one of the most dramatic escapes in English history. The adventure is described in detail in a letter from Mr. John More to Sir Ralph Winwood of the Privy Council.

"On Monday last in the afternoon," he writes, "my Lady Arabella lying at Mr. Conyer's House near High-



From an engraving after the picture by van Somer.

LADY ARABELLA STUART.

p. 38.



gate,<sup>1</sup> having induced her Keepers and Attendants into Securitie by the fayre Shew of Conformitye and Willingness to goe on her journey towards Durham (which the next day she must have don), and in the mean tyme, disguising her selfe by drawing a pair of great French-fashioned Hose over her Petticotes, putting on a man's Doublet, a man-lyke Perruke with long Lockes over her Hair, a blacke Hat, blacke Cloake, russet Bootes with red Tops, and a Rapier by her Syde, walked forth between three and four of the Clock with Mr. Markham. After they had gone on foot a Myle and halfe to a sorry Inne, where Crompton attended with the Horses she grew very sicke and fainte, so as the Ostler that held the Styrop said that Gentleman would hardly hold out to London, yet being set on a good Gelding, astryde, in an unwonted Fashion, the stirring of the Horse brought Blood enough into her Face, and so she rid on towards Blackwall; where arriving about Six a Clock, finding there in a Readiness two Men, a Gentlewoman and a Chambermaid, with one Boate full of Mr. Seimour's and her Trunks, and another Boate for their Persons, they hasted from thence towards Woolwich. There the watermen were desirous to land, but for a double freight were contented to go on to Lee. Yet being almost tyred by the way, they were faine to lye still at Tilbury whilst the Oares went to land to refresh themselves. Then they proceeded to Lee, and by that tyme the Day appeared, and they discovered a Shippe at Anchor a Myle beyond them, which was the French Barque they waited for. Here the Lady would have lyen at Anchor expecting Mr. Seimour, through the Importunitie of her Followers they forthwith hoisted Saile to Seawarde. In the meane while Mr. Seimour with a Perruke and Bearde of blacke Hair and in a tawny Cloth Suit, walked alone without Suspicion from his Lodging out at the great Weste Doore of the Tower, following a cart that had brought him Billets. From thence he walked

<sup>1</sup> In a letter from Lord Salisbury to Mr. Turnbull it is given as Sir James Croft's House,

along by the Tower Warfe by the Warders of the South Gate, and so to the Iron Gate, where Rodney was ready with Oares for to receive him. When they came to Lee, and fownd that the French ship was gone, the Billows rising high, they hyred a Fisherman for twenty Shillings to set them aboard a certain Ship that they saw under saile. That Ship they found not to be it they looked for, so they made forwards to the next under saile which was a Shippe of Newcastle. This with much ado they hyred for 40*l.* to carry them to Calais. But whither the Collier did perfourme his Bargaine or no is not as here yet knowne. On Tewsday in the Afternoone my Lord Treasurer<sup>1</sup> being advertized that the Lady Arabella had made an Escape, sent forthwith to the Leiutenant of the Tower to set straight guard over Mr. Seimour; which he after his yare manner, would throughly do, that he would: But coming to the Prisoner's Lodgings he found (to his great Amazement) that he was gone from thence one whole Day before."<sup>2</sup>

The conclusion of this great adventure was a pitiful tragedy. Fate declared against the lovers; for although Seymour was safely landed by the collier at Ostend, the French barque, within sight of port, was captured by a swift vessel sent from Dover in pursuit. Arabella, resigning herself calmly to her fate, and praying that her husband might escape, was brought back to London, and committed to the Tower. Here, after four years' miserable confinement, her reason gave way, and she died, without seeing again the handsome and gallant husband whom she had loved so well. It was not until her death that Seymour was allowed to come back, and afterwards he became that Marquis of Hertford who, among other Royalist gentlemen, offered his own life to the Parliament if they would spare the King—the son of that King who had treated him so cruelly, and destroyed the reason and the life of the lady whose memory he always cherished.

<sup>1</sup> Lord Salisbury.

<sup>2</sup> Winwood's "State Papers," vol. iii.



It was from the Tower that Lady Arabella wrote to Robert Carr, the Favourite, beseeching him to use his influence for her release.

“SIR (she wrote),—

“Though you be almost a stranger to me, but only by sight, yet the good opinion I generally hear to be held of your worth, together with the great interest you have in my Lord of Northampton’s favour, makes me thus far presume of your willingness to do a poor afflicted gentlewoman that good office (if in no other respect, yet because I am a Christian) as to further me with your best endeavours to his Lordship, that it will please him to help me out of this great distress and misery, and regain me his majesty’s favour, which is my chiefest desire. Wherein his Lordship may do a deed acceptable to God and honorable to himself, and I shall be infinitely bound to his Lordship, and beholden to you, who now, till I receive some comfort from his majesty, rest the most sorrowful creature living,

“ARABELLA SEYMOUR.”<sup>1</sup>

To this appeal, as we learn from a letter addressed by the Earl of Northampton to the King, Viscount Rochester sent a “discreet reply.” Northampton, as a Catholic and a well-known intriguer, was desperately anxious to clear himself to James from all complicity in Lady Arabella’s escape, which aroused terrible fears of conspiracy by the “Papists.” In this letter, written immediately after the flight, the old Earl says that Lady Shrewsbury was the only contriver of Lady Arabella’s “bedlam opposition” to the King, and her purse the only instrument of her escape, she having given Lady Arabella £850 for some things which she had belonging to the Queen of Scots. “There is much mystery in it,” adds Northampton, “being confined to persons that will rather die than discover one another. . . . There are probabilities that Lady Shrewsbury

<sup>1</sup> “Bishop Goodman’s Memoirs,” vol. ii. This letter is not addressed, but, from the date and its reference to Lord Northampton, there is but little doubt that it was sent to Carr.

will deny all complicity. Lady Arabella dare not clear her by oath, though she clears all foreign princes."

The Countess of Shrewsbury, the aunt of Arabella Stuart, and her staunch friend, was summoned before the Council Chamber on the charge alluded to in this letter by Northampton. She answered with the greatest boldness that she had done nothing wrong, and declared her readiness to defend herself at a public trial. This, however, was denied her, and she was committed to the Tower for a year. Then she was brought before a commission appointed to examine her; but she refused to answer all questions, maintaining that she had vowed to give no evidence, and that it was the privilege of the nobility to answer only when called upon before her peers. For this courageous obstinacy she was sent back to the Tower, and remained there for some years, until she was liberated in order to be present at her husband's deathbed.<sup>1</sup> The Earl of Shrewsbury had also fallen into disgrace owing to his wife's complicity in the escape of Lady Arabella, and in the Domestic State Papers there is a pathetic letter from him to Lord Salisbury, in which he says that Viscount Rochester has hinted at some alterations to himself, and requests an explanation.

Rochester, of course, as the King's favourite, had to humour his master's mood, and could not, without danger to himself, intercede for a lady whom James regarded as guilty of high treason and as the central figure of a Catholic plot against the Crown.

It was another cause of breach between him and the young Prince Henry, who, although he publicly expressed his displeasure at the behaviour of Lady Arabella, privately pitied the misfortunes of one who had charmed him by her beauty and sweet character. But, as we shall see, there was another woman, who was the evil cause of a more deadly quarrel between these two young men, and who, from her first meeting with Robert Carr, Viscount Rochester, was "*La Belle Dame sans Merci*," tempting him to dishonour and to crime.

<sup>1</sup> Gardiner,

## CHAPTER III

### THE LADY AND THE GHOST

PRINCE HENRY held himself aloof from those loose-living and riotous young men who surrounded the Throne, and made the Court a place of low buffoonery. He drew to himself the more serious and sober men of his time, and, young as he was, set them an example of high thought and noble conduct. This virtue in a Prince who was born in a time when morality was at a low ebb in society, and who was subject to every temptation of his age, was in such strong contrast to the life of other young men of high rank, that contemporary historians have exalted him to saintly heights of virtue. We may grant that he was a youth of chaste habits. There are some who have accused him, perhaps unjustly, of being somewhat of a prig, and too self-conscious of his virtue. In his fourteenth year, we are told by M. de la Boderie, the French Ambassador, he "began to take a mature judgment in almost everything, and as he was an attentive hearer of sermons, to distinguish such preachers as deserved it." He was also a strict disciplinarian in his own household.

"His Highness's strict attendance on public worship was likewise accompanied with the utmost care for the regular behaviour of his family ; he ordering boxes to be kept at his three houses, St. James's, Richmond, and Nonsuch, for the money required of those who were heard to swear ; which money was distributed to the poor."<sup>1</sup>

<sup>1</sup> Birch, "Life of Prince Henry,"

But what excited most surprise in a handsome youth of a gallant and fiery nature was his indifference to the charms of women. There were, if we allow for the different standard of beauty which prevails from age to age, many beautiful women at the Court of King James, and not all of them were of a rigid virtue. Even men of lofty character, like Lord Pembroke, the beau ideal of his time, and Lord Arundel, the poet and scholar, were very guilty in their relations to women. It is, of course, the worst stupidity of any historian to judge a past age according to the moral code of his own time; but even if we make full allowance for the moral progress of three centuries—not bragging too much of our own social virtues, which are not exactly without blemish—it must be admitted that high society in the reign of the first James was very wanton. An anonymous author of the time paints a black picture of the wild extravagance and immoral licence of London town.

“Such persons,” he says, “on whom the King had bestowed particular honours, either through pride of that, or their own prodigality, lived at high rates, and with their greatnesse brought in excesse; Ryot, both in Cloaths and Dyet, and so our ancient Customes were abandoned, and that strictnesse and severity, that had wont to be amongst the English, much scorned and contemned, every one applauding strange and new things, though never so costly, and for the attaining of them neither spared purse nor credit, that prices of all sorts of commodities are raised. And those ancient Gentlemen that had left their Inheritance whole and well furnished with Goods and Chattels (having thereupon kept good houses) unto their sons, lived to see part consumed in ryot and excesses and the rest in possibility to be utterly lost. The holy state of Matrimony made but a May-game, by which means divers families have been subverted. . . . And of all sorts such Knights and Gentlemen as either through pride and prodigality had consumed their substance repairing to the City, and to the intent to consume their



vertues also, lived dissolute lives, and many of their Ladies and Daughters, to the intent to maintain themselves according to their dignity, prostitute their bodies in shamefull manner. Alehouses, Dining-houses, Taverns, and places of vice and iniquity beyond measure abounding in most places, there being as much extortion for sin as there is racking of Rents ; and as many ways to spend money, as are windings and turnings in Townes and Streets, so that to outward appearance the evill seemed to overtop the good, and evill intentions rather prospered than those that were profitable to the Commonwealth."<sup>1</sup>

Father Bernard Vaughan in his sermons on "The Sins of Society" has made exactly the same accusations against the modern "smart set" as we find in this denunciation of the rich upstarts in the Court of James ; and it is therefore well to bear in mind that outside the circle of the wanton rich there was, in both town and country, and even in the Court itself, a great class of men and women leading quiet, respectable, and admirable lives. Indeed, in reading the letters of the time by such men as John Chamberlain, who sent regular weekly budgets of Court and political news to their friends, it is surprising to find how little scandal there is in them. Nevertheless, there were morasses of immorality and dark places of iniquity in London life, and too many men and women of high rank and birth were light and wanton in their ways. Prince Henry therefore deserves full credit for keeping himself pure and unspotted from the world until he was overcome by the seductive charms of a beautiful young creature.

Sir Charles Cornwallis, who was one of the ambassadors to negotiate the Spanish marriage, is among those who give testimony to Henry's virtuous bearing towards women in general. He assures us that "having been present at great feasts made in the Prince's house, to which he invited the most beautiful ladies of the Court and City, he could not discover by his Highness's behaviour, eyes, or countenance, the least appearance of a particular inclination

<sup>1</sup> "Truth Brought to Light."



to any one of them ; nor was he at any other time witness of such words or actions as could justly be a ground of the least suspicion of his virtues." In spite of this, however, there is a good deal of contemporary evidence for the fact that his fancy was at last caught by Frances, Countess of Essex, and that he succumbed for a time to her enticing beauty.

This lady was only a girl when she came to the Court, and became a toast of all the gallants. She was a daughter of the greatest house in England—the family of Howard—and that was the cause of her first unfortunate marriage, which led to such tragedy and crime. She was indeed to be pitied—if we may spare a little pity for one who afterwards became so utterly evil—in being the child of her parents. Neither of them had any moral convictions or true nobility of character ; and from her infancy Frances Howard was brought up in an environment of reckless luxury and extravagance, which came from prodigious wealth accumulated by the grossest corruption. Her father, Thomas Howard, first Earl of Suffolk, and son of the first Duke of Norfolk, had in Elizabeth's reign distinguished himself as a naval commander. He was, like Howard of Effingham, his kinsman, one of the heroes of the defence against the Armada in '88. He was in the command of the attack on the Azores fleet in '91, and admiral of the third squadron in the Cadiz expedition of '96.

Those were distinguished services, and so far he deserved the gratitude of his country. But when he gave up the sea and became a courtier he succumbed to temptation. As Lord Chamberlain of the King's household from 1603 to 1614 he had in his hands a vast patronage, which he used unscrupulously for personal profit. No man could get a place without a bribe, and offices were openly put up to the highest bidder. But his wife was even more shameless in her greed ; and we may almost believe that it was by her fault that the Earl of Suffolk was led to his great disgrace when in 1619 he was accused, fined,

and imprisoned for gross embezzlement of public moneys. She had an insatiable appetite for gold, which she spent on jewels and dresses; and it was she who generally received those "presents" amounting to vast sums of money, which were really bribes to her husband for places where those who paid could share in the plunder of the nation. Suffolk himself in private life was good-natured and jovial, and quite ready to confess his own ignorance, as when he was made Chancellor of the University of Cambridge. The orator of the University addressed him on that occasion in a Latin oration, but he bluntly told the Senate that he did not understand what was said. However, as he concluded they meant to welcome him, he begged to assure them in return that he would advance their interests as much as lay in his power.<sup>1</sup> His Countess was a woman of a coarser fibre, wanton in her manners, and seemingly without any moral instincts.

Of this corrupt pair was Frances Howard born about the year 1593. Nature at first seemed to have designed her to be worthy of an exalted rank. Sir Symonds d'Ewes, a contemporary diarist of undoubted honesty, was told by Captain Field, "a faithful votary of her father, the Earl of Suffolk, that he had known her from childhood, and had ever observed her to be of the best nature and sweetest disposition of all her father's children, exceeding them also in the delicacy and comeliness of her person."

She grew up in beauty, and few men could see her without growing eloquent over her loveliness. "A lady of transcendent beauty and full of fire," says Lloyd. Even Arthur Wilson, who abhorred her, speaks of her "sweet and bewitching countenance," and the author of the "*Aulicus Coquinarix*" calls her "a great beauty."

When she had reached sixteen years of age her father and mother arranged one of those child-marriages which led so frequently to domestic tragedy. The husband selected for her was Robert Devereux, Earl of Essex, the

<sup>1</sup> "Lloyd's State Worthies."

son of Elizabeth's brilliant and erratic favourite. The confiscated estates of the father had been returned to this lad, who was only fourteen at the time of the nuptial contract, and the Earl and Countess of Suffolk were pleased with themselves for having made a good bargain for their daughter Frances. She, too young to understand the meaning or responsibilities of marriage, went, it seems, a willing bride to the altar—"too young to consider, but old enough to consent," says Wilson—pleased with the beautiful dresses and jewels lavished upon her and with the festivities in her honour. Young as she was, she was at least old enough to know that her pretty face had a strange effect upon the hearts of men.

The child-marriage was the occasion of great "junktetings," which are described in a newsletter of the period:

"The bridegroom," says the writer, "carried himself as gravely and gracefully as if he were of his father's age. He had greater gifts given him than my lord of Montgomery had, his plate being valued at £3,000; his jewels, money, and other gifts at £1,000 more. But to return to the Mask. Both Inigo, Ben, and the actors, men and women, did their parts with great commendation. The conceit or soul of the Mask was Hymen, bringing in a bride, and Juno Pronuba's priest a bridegroom, proclaiming that those two should be sacrificed to nuptial union; and here the poet made an apostrophe to the union of the Kingdom; but before the sacrifice could be performed, Ben Jonson turned the globe of the earth standing behind the altar, and within the concave sat the eight men maskers, representing the four Humours and the four Affections, who leaped forth and disturbed the sacrifice to union. But amidst their fury, Reason, that sat above them all, came down and silenced them. . . . The men were clad in crimson, the women in white; they had every one a white plume of the richest heron's feathers, and were so rich in jewels upon their heads, as was most glorious. I think they hired and borrowed all the principal jewels and ropes of pearls both in Court and city. The Spanish

Ambassador seemed but poor to the meanest of them. They danced all variety of dances, both several and *promiscue*; and then the women took in men, as, namely, the Prince, who danced with as great perfection, and as settled a majesty, as could be devised; the Spanish Ambassador, the Archduke's Ambassador, the Duke, etc. And the men gleaned of the Queen, the bride, and the greatest of the ladies."<sup>1</sup>

This marriage, in spite of all these expensive rejoicings, was only a formal, though binding, ceremony. Thomas Howard and his wife had, at least, sense enough to see that it would be ludicrous and scandalous for these two children to set up house together as man and wife. So the young Earl of Essex, a grave, silent, reserved boy, who brooded over the memory of his handsome father, whose head had fallen on the scaffold, and Frances, Countess of Essex, his pretty, vain young "wife," were parted after the marriage feast; the boy to go abroad to learn soldiering, the girl to go back to her lesson-books, her dolls, and her girl friends.

In a year or two, however, she aspired to a more exciting life. As a married woman and "a great lady," she, no doubt, considered it her due to take a place among the beauties of the Court, of whom she heard many stories from her father and her extravagant mother. She came up from the country, and as a Countess by marriage (though her husband was a stranger to her) and a daughter of the Lord Chamberlain, in whose hands were many places worth begging or buying, the girl did not escape notice.

"The Court was her Nest, her Father being Lord Chamberlain; and she was hatch'd up by her Mother, whom the sour Breath of that Age (how justly I know not) had already tainted; from whom the young Lady might take such a Tincture, that Ease and Greatnesse, and Court Glories, would more distain and impress on her, than any

<sup>1</sup> Mr. Pory to Sir R. Cotton, January 1606 (Bishop Goodman's "Memoirs").



way wear out and diminish. And growing to be a Beauty of the greatest Magnitude in that Horizon, was an object fit for admirers, and every Tongue grew an Orator at that Shrine."<sup>1</sup>

It was a dangerous place for girlhood, this Court of King James. There were not many like poor Arabella Stuart, who believed it was "possible for a woman to retain her purity and innocence in the midst of follies." There were many men there who had no scruples with beauty, and who were too skilled in writing sonnets "to their mistress's eyebrow." In leisure and luxury they hunted other game than of the woods and forests, and those handsome fellows who surrounded the King had quick eyes for a pretty face. Perhaps it was not the fault of young Lady Essex that she was drawn quickly into the vortex of these Court gaities. Nor do we know how she first succumbed to them. A married woman, without a husband to guard her; a daughter with an easy-going father and a foolish, wanton mother, it would have been a wonder indeed if she had resisted all the temptations. Perhaps at first she was innocent, and only merry. Yet after the great sinfulness of her life with Robert Carr, the Favourite, was exposed to all the world, there were many who believed she had been vicious from the first. We are told that even at this time she was "of a lustful appetite, prodigall of expense, covetous of applause, ambitious of honour, and light of behaviour."<sup>2</sup>

She was among those "most beautiful ladies of the Court and city" who were invited to the feasts and masques of Prince Henry's house; and the young man who till then had been so indifferent to women, preferring his horses and dogs and the conversation of men like Pembroke and Raleigh, was caught by the youthful charms of this lady, who was married, yet not a wife.

In the "*Aulicus Coquinariæ*" we are told that "the Prince made court to the Countess of Essex before any other

<sup>1</sup> Arthur Wilson, in "*Kennet*."

<sup>2</sup> "*Truth Brought to Light*."



lady living." And Arthur Wilson<sup>1</sup> mentions the many amorous glances which the Prince gave her. The Prince of Wales, now in his puberty, he says, "sent many loving glances as ambassadors of his good respects." These two authorities would be doubtful but for the corroboration of others in whom one may place more trust. Sir Symonds D'Ewes, in his autobiography, says very positively that "notwithstanding the inestimable Prince Henry's marital desires and initiation into the ways of godliness, the Countess, being set on by the Earl of Northampton, her uncle, first caught his eye and heart," and afterwards became, for a time, his mistress.

Then Robert Carr, Viscount Rochester, met this girl who had so bewitched the Court and Prince. He was now the assured Favourite, and on all sides men came, cap in hand, to him. Tall and handsome, with a blonde face and long, flaxen hair, magnificently dressed out of the wealth showered on him by the King, he stood above all the other young men at Court, and was a rival even to the heir-apparent in the Council Chamber. He was just the man to inflame the heart of a girl like Frances Howard, Countess of Essex, whose marriage was a half-forgotten memory of childhood, and who had a warm and passionate nature, easily stirred by vanity and love of power. Whatever her relations were with Henry (and one can hardly doubt the nature of them), the gravity of the Prince and his prospects of a marriage with some Royal lady of France or Spain would make it impossible for her to keep long in his favour. Already, when the first heat of his passion for her had cooled down, he was beginning to repent. At least she could not hope to keep him long. But Rochester, the Favourite, stared at her with his blue eyes, and she found herself irresistibly drawn towards this man. She dared to entice him, and to make it clear to him that he could be a rival of the Prince in love as well as in politics. To all accounts, it was she who spread her nets to entrap him, not Rochester who hunted her down as a prey.

<sup>1</sup> "Life and Reign of King James I."

As we shall see later in the tale, she was afraid to lose him, even when there were no secrets between them, and went to magic to keep him bound to her. Gradually Carr was inveigled into an intrigue, not without infinite peril; for on one side was the Prince, and on the other the young husband who, any day, would be back to claim his wife. How soon the first coquetries of the girl had their effect on Carr, and how long it was before Henry suspected his rival, we do not know, for the contemporary chroniclers are careless of dates. But there were watchful spies about the Favourite, eager to flatter him to his face, but not less eager to discover any secrets which would undo him. These would tell Henry of any secret meetings, or of any words whispered in dark corners. Somehow or other the Prince learnt the truth.

Symonds D'Ewes, who is, as we have seen, a witness to the relations between the Prince and Lady Essex, says that after this brief passion "those sparks of grace, which even then began to show their lustre in him, with those more heroic innate qualities derived from virtue, which gave the law to his more advised actions, soon raised him out of the slumber of that distemper, and taught him to reject her following temptations with indignation and superciliousness."

But there is a more significant story told by Wilson, which shows how quickly the Prince discarded Lady Essex when he discovered her love for Carr. It was at a masque, or evening feast, and seeing Lady Essex drop her glove, one of the courtiers picked it up and gave it to the Prince. The days were not gone by when gentlemen wore such trophies of their lady-loves. But the Prince scorned it and would not touch the thing, as though it were unclean. "It has been stretched by another," he said, and those who heard him knew well enough that Rochester was meant. This public humiliation taught Lady Essex that she must be off with the old love before she was on with the new.

As regards Prince Henry, the truth is that he was passionate with anger when he discovered that the rival to

his love for Lady Essex was Robert Carr. That any man should come between him and the girl was a bitter thing, no doubt, but that it should be the upstart who had stolen the King's affections, who dared to write to him, the heir-apparent, on the secret matter of his marriage, who was the friend of his enemies and the enemy of his friends, was an insult so deadly that he could not suffer the thought of it.<sup>1</sup> He could not revenge himself like any private gentleman, by a challenge, and there was only one way in which to show his scorn. It was to drop that fair woman for whom he had risked, and perhaps lost, his reputation, like a viper that had stung him to the heart.

Lady Essex, abandoned by the Prince, and expecting the return of the young husband who was a stranger to her, he being a boy when he had married her and now a young man with renown as a soldier, used all her blandishments upon Carr, and, like Circe the enchantress, gave him wine to drink, in which there was madness and poison, which transformed manliness into bestiality. But it was not easy for the Favourite to visit or correspond with this daughter of the Howards. He was not friendly with her parents, who naturally regarded him as an adventurer encroaching dangerously upon their previous monopoly of patronage, and there were many watchful eyes upon his movements. Then with regard to correspondence it seems that Carr, in spite of the King's Latin lessons, was "no scholar," and wrote with difficulty, especially letters which, according to the style of the time, he must fill with many wondrous conceits and nicely turned phrases. It was necessary therefore in those early days to get a go-between, and a man who could be trusted, for good pay, to write secret letters without blabbing.

There were other reasons why Rochester, as Carr was then called, wanted a secretary at his side. Drafted quickly into the high position of First Favourite, and being employed by James as a Privy Councillor in all matters of secret and State affairs, he quickly realised, with his shrewd Scotch

<sup>1</sup> Wilson, in "Kennett."

judgment, that he must have as an adviser a man who was familiar with English etiquette, who would be a good watch-dog in his master's interests, and who would coach him through the tortuous paths of diplomacy and intrigue. In short, he wanted a "ghost," who would whisper wise words in his ears, and who would trace out his career with an unseen hand.

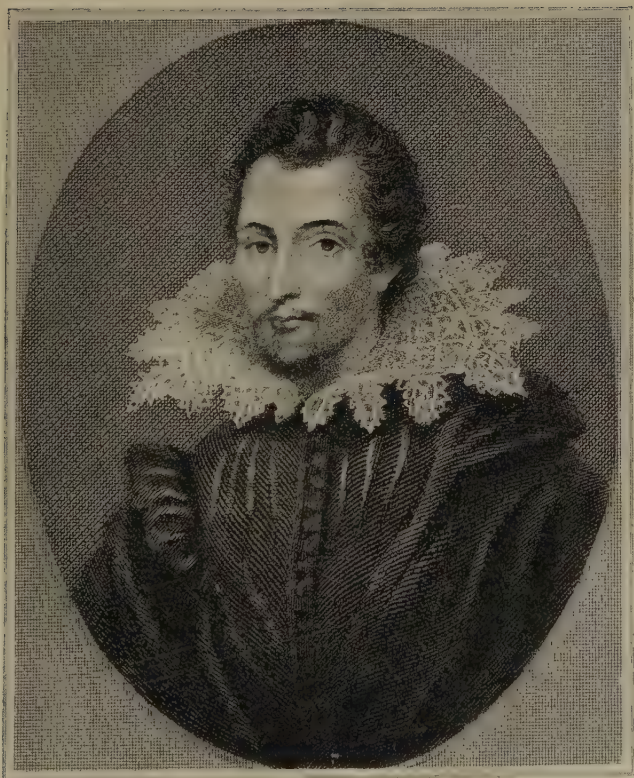
Carr found the man he wanted in Thomas Overbury, a gentleman of good birth and education, nimble-witted, but very needy, having nothing but his wits to live on. He was an old acquaintance of Carr's and had come south for him. This we learn from his father, old Sir Nicholas Overbury, who, in 1637, dictated some statements concerning his son to his own grandson.

"When Sir Tho. Overbury was a little past 20 years old he and John Guilbey, his father's chiefe clerke, were sent (upon a voyage of pleasure) to Edinburgh with 60*l*. between them. There Thom. mett with Sir W<sup>m</sup>. Cornwallis, one who knew him in Queen's College at Oxford. Sir W<sup>m</sup>. commended him to diverse, and amongst the rest to Robert Carr, then page to the Earle of Dunbarr. So they came along to England together and were great friends."<sup>1</sup>

Born at Compton Scorfæ, in the parish of Ilmington in Warwickshire, in 1581, he was educated "partly in grammar-learning in those parts," says Anthony Wood, and in 1595 became a gentleman commoner of Queen's College, Oxford. In 1591, as a "squire's son," he took the degree of Bachelor of Arts, and then, leaving the University, settled in the Middle Temple as a law student. The writer of "The Secret History of the Reign of James" says that at the University and the Temple "he was instructed in all those qualities which become a gentleman; by the entreaty of my Lord Treasurer, Sir Robert Cecil, preferred to honour, found favour extraordinary, yet hindered in his expectations by some of his enemies, and to shift off dis-

<sup>1</sup> "A Book Touching Sir Thomas Overbury, with Notes taken A.D. 1637 from the mouth of Sir Nicholas Overbury, the father of Sir Thomas."





From an engraving by J. Cook, after a picture by Sir Isaac Oliver in the Bodleian Gallery.

SIR THOMAS OVERBURY.





content, forced to travel; therein spent not his time as most do, to loss, but furnished himself with things fitting a statesman, by experience in foreign government, knowledge of the language, passages of employment, external courtship, and good behaviour—things not common to every man."

From the first Robert Carr endeavoured to advance his friend's fortune with his own. In the Domestic State Papers for 1607 there is a significant entry of a bill being passed on account of Thomas Overbury "by the importunity of Sir Robert Carr." It was through Carr's influence also that Overbury was knighted in 1608, and became one of the King's Gentlemen of the Household. At first it seemed as if the young man would share the Royal favour with the adventurer in whose company he had come to Court. He had good looks, a passport to favours where in many cases a man's face was his fortune, and elegant manners learnt in France. Sir Nicholas tells a story of his first appearance before the Queen.

"When Sir Thomas was made server to the King, his Ma<sup>ty</sup> walking in the privy garden shewed him to the Queene, saying, 'Looke you, this is my newe server'; and queene Anne answered, 'Tis a prety young fellow.'"

But the Queen's first impressions of Overbury were followed by extreme dislike. Whether this was due to his own behaviour or as being a friend of Carr's, whom the Queen hated, it is impossible to say. But Bishop Goodman in his Memoirs tells a curious anecdote which shows how bitter her Majesty was against this man. It happened that Somerset and Overbury were walking in the palace gardens at Greenwich, when the Queen was looking out of her window. As she caught sight of them she said, "There goes Carr and his governor." At this moment Overbury burst out laughing, and the Queen, believing that he had overheard her, thought he was laughing at her. Looking upon this behaviour as a deliberate insult, she complained and Overbury was committed to the Tower.

Carr explained on behalf of his friend that their laughter

proceeded from a jest which the King was pleased to use that day at dinner. This explanation, whether true or not, had to serve, for not even Anne of Denmark could keep a man lingering in prison on account of a light laugh.

It seems that Overbury got into some other scrape, for we find the Queen writing the following letter to the Earl of Salisbury :

"MY LORD,—

"The King hath told me that he will advise with you and some four or five of the Council, *of that fellow*. I can say no more, either to make you understand the matter on my mind than I said the other day. Only I recommend to your care how public the matter is now, both in Court and city, and how far I have reason in that respect. I refer the rest to the bearer and myself to your love,

"ANNE R."

Salisbury, who seems to have been the intermediary in the affair, received the following letter from Overbury himself :

"MY HONOURABLE LORD,—

"As your lordship was a judge of mine innocence before, so would I now crave kind favour, that your lordship would vouchsafe to be witness of the submission both of myself and cause to the Queen's mercy ; which I desire you rather, because as I understand her Majesty is not fully satisfied of the integrity of my heart that way : and to that purpose, if your lordship will grant our access and audience, I shall hold it as a great favour, and ever rest

"Your Lordship, to be commanded,

"T. OVERBURY.

"LONDON, 11th of September."

It may have been in consequence of this trouble that Overbury went abroad in 1609. He went on a tour through

France and the Low Countries, and wrote a paper called "Observations upon the State of the Seventeen Provinces," and another called "Observations on the State of France, under Henry IV." These reveal considerable knowledge of political and economic facts, but are not distinguished by literary style.

Upon his return home he seems to have lived down his disgrace, and it was rumoured that he would be chosen for an important diplomatic appointment. Thus the Rev. John Sandford writing to Sir Thomas Edmondes (March 6, 1610) says: "The ambassador to be sent from hence is diversly spoken of; some say Sir Henry Wotton, lately arrived in Court; others suspect Mr. George Calvert, who came to London on Sunday last; of late Sir Thomas Overbury, a great favourite of Sir Robert Carr, hath been mentioned."

Overbury did not get the appointment, and it was at this time that he definitely attached himself to the rising fortunes of the Favourite. The two men entered into a secret bond, of which Overbury was made the confidant, the go-between, and the "ghost" of Robert Carr, Viscount Rochester. Out of this alliance sprang one of the darkest tragedies which blacken the pages of English history, and Overbury afterwards rued the day when he first sold his brilliant talents to this patron, and wrote love-letters on Carr's behalf, which, by a terrible retribution, led to his own death.

Overbury was no doubt tempted by gold, like many a better man and many a worse one. His own talents were brilliant. As a poet he was acclaimed by Ben Jonson himself; as a prose-writer he achieved a great success with the wits of his time by his famous "Characters," a series of sketches which almost entitles him to be called the forerunner of the English novel. In spite of their quaint old English and far-fetched conceits, they may still be read with interest and amusement, for they reveal a true knowledge of human nature in many classes of life, and they are enlivened by a biting humour. Some of those "characters,"

too, are quite tenderly and charmingly portrayed. The descriptions of "A Good Wife," of "A Milkmaid," of "A Noble Spirit," and of "A Wise Man," are especially admirable.

It may seem strange at first that a man so gifted should have been willing to become the ghost of a Court favourite like Robert Carr, prompting him to steer a straight course, whispering in his ear to say this or to do that, answering letters and writing letters, to which Carr only put his scrawling signature, and being the go-between of his master in a guilty love affair. But there were many poets in Alsatia, many scribblers in Grub Street. Literature in the reign of James did not pay. Overbury was ambitious of more than the laurel wreath to be worn on a throbbing brow above an empty stomach. He had an active, restless mind. He was eager for power; he had the gift of intrigue and diplomacy. Balked in his first ambition by the Queen's disfavour, he saw that by working privately for Carr he would get into the heart of State secrets, obtain a hold upon the reins of Government, and a secure footing at Court. Carr would pay him handsomely, and he would be possessed of so many of his secrets that the Favourite would never care to let him go. Perhaps one day, when the time was ripe, he would be able to undermine the foundations of his patron's great position, and rise upon its ruins. These undoubtedly were the thoughts which worked in Overbury's brain when he offered his services to his former friend, and they are borne out by the events that followed in his career.

Until the time came, however, when he thought he could thwart the Favourite, and when the "ghost" came too close to the footlights, Overbury served his master secretly, silently, and faithfully. Carr trusted him implicitly, and resigned all his business into his hands, while he went on his own pleasure. He would even hand him secret despatches from ministers and ambassadors before breaking the seals and envelopes; and Overbury opened them, read them, and copied them, so that he often knew



more of the secrets of State than the Privy Council.<sup>1</sup> In order that Carr and Overbury might correspond with each other safely in a Court where a sealed envelope was not always secure against spies, they invented a code or cipher, giving false names to the King and Queen and the officers of State.

This friendship between the two men became a subject of gossip at Court, and they were so inseparable, and seemed so alike in tastes and temperament, that it was believed a breach could hardly take place between them. Perhaps, if a woman had not stepped between, the names of Overbury and Carr would have gone down in history as friends and partners of fortune; but when Overbury, perhaps in a jest, wrote love-letters from Carr to Lady Essex, he was writing to a woman—hardly more than a girl—who, when thwarted in her passion by this man, would not only destroy the friendship between her lover and his secretary, but would play a more deadly game, which Overbury would lose.

<sup>1</sup> "State Trials." Sir Francis Bacon's Indictment.

## CHAPTER IV

### CHARMS AND LOVE-PHILTRES

THERE now came upon the scene of a drama that moved slowly at first an actor who was to play a melancholy part. This was Robert Devereux, Earl of Essex, who, after the festivities on his marriage-day, had been separated from his child-wife, and been abroad to learn foreign tongues and manners and the art of war. Upon his return to England in 1610 he was still a boy in years, being no more than eighteen. But in those days, when men and women seemed to come to maturity earlier, he was counted as having reached the full estate of manhood. His gravity also, and taciturn manner, seemed to have put an old head on young shoulders. The father is child of the man; and we can judge something of Robert Devereux's character in youth by what we know of him in after-life.

As a general of the Parliamentary forces he has been described as "a dull but worthy man," and, though personally brave, a poor strategist in warfare. He was weak, with the obstinacy of a weak man, and, though he was not by any means stupid, had a slow-moving brain. His whole life was a tragedy and a defeat, and there must have been a great bitterness in his heart at the way in which Fate had dealt with him. His boyhood was overclouded by the tragic death of his brilliant father, and he seems to have been rather friendless and solitary. When he went abroad to brave all the discomforts and hardships of foreign travel in an age when travelling was not always a gay adventure

the one bright hope he had was to come back to that pretty child who, all in white and very demure, had given her hand to him before the altar. We know that when he came back he was eager for her to join him, and share his home in the great house at Chartley.

But to the young Countess of Essex the home-coming of her husband was terrifying. During those two years of his absence she had put away the thought of him. She remembered only a gauche, shy boy, who had stepped gravely through the dances on the marriage-day. Now he was a stranger to her. During those two years, when he had grown from boyhood to manhood, she also had changed, from a child pleased with dolls to a girl who had already tasted the pleasures of womanhood, the luxuries and gaieties of Court life, and the conquest of men's hearts. She had been toasted as a beauty; a Prince had put his heart at her feet, and she had flouted it. And now, having flirted, perhaps out of mere girlish vanity, or succumbed to the temptations of her surroundings because she was no better than many of the women round her, she found herself captured by an overwhelming passion, which had taken possession of her heart and soul like a burning fire. Carr, the tall young Scot, with the long, reddish-gold hair, the man whom all men envied as the favourite of the King, the man who had written secret and ardent letters—she did not know that they were Overbury's words—proclaiming himself a victim of her beauty, was the one man in the world whom she desired to live with as a wife. It was horrible that she should find herself bound to one whom she did not know, who had come now suddenly, with all the authority of religion and law, to step between her and this lover.

When Essex came and greeted her as wife, she did not put her arms about his neck and her head on his breast. When he invited her to go home, so that she might learn to love him, she staggered him by an absolute refusal. His slow-moving brain did not understand. Surely she was his wife, and he had a right to her? Instead of

smiling as he had dreamt of her smiles in his exile, he was perplexed by frowns; instead of the meek speech of a girl who would be an obedient wife, "harsh, unseemly words utter her discontents unto her husband's ears."<sup>1</sup> What was the meaning of this strange behaviour? The woman for whom he had been "sick with absence"<sup>2</sup> had not "as kind a glance for him as she would throw to a dog."

There were other reasons besides that of love for another man which made Lady Essex hate the thought of going down into the country. Accustomed to the freedom and gaiety of Court life, the thought of a lonely country house—with one serious youth sitting opposite at the high table, every day and every week, and with a number of rustic servants as the only company—was torture to her.

"Her Husband she look'd upon as a private Person, and, to be carried by him into the Country, out of her Element (being ambitious of Glory and a Beauty covetous of Applause) were to close, as she thought, with an insufferable Torment; though he was a Man that did not only every way merit her Love, but he lov'd her with an extraordinary affection, having a gentle, mild, and courteous Disposition, especially to Women, such as might win upon the roughest Natures. . . . Those that saw her face might challenge Nature of too much Hypocrisy, for harbouring so wicked a Heart under so sweet and bewitching a Countenance."<sup>2</sup>

The young Earl was patient at first. Perhaps when she knew him a little better she would like him more. He would adopt persuasion rather than compulsion. Perhaps it was because she was still so young, and he a rough, soldierly fellow, that she disliked the thought of going home with him. Not a whisper, we are told, came to him yet about the things that had not gone unnoticed by Court spies. Perhaps they pitied this young husband who had come home to an unwilling wife. Perhaps—and it is more likely—they were afraid of telling tales about such high personages as Prince Henry and Robert Carr and the

<sup>1</sup> "Truth Brought to Light."

<sup>2</sup> Wilson.



daughter of the Howards. Great people in those days had a way of revenging themselves upon those who told too much.

We do not know what tale Frances, Lady Essex, told to this stranger who had returned to claim her. Certainly she said nothing about Carr. Probably she merely vowed, without a reason, that she would not live with him, and answered his pleadings and reproaches with passionate tears. But at last it did dawn upon the young man that she was serious in her refusal, that it was not merely childish fright or pettishness. Then he grew a little angry. If she would not come to him willingly, she must come unwillingly. He could not be made a fool of. The Church had bound them as man and wife, their marriage ceremonies were printed in books, the servants on his estate waited for him to bring home the bride, his fellow-peers would jeer and jibe at him if he remained a bachelor, though a married man.

So he went to his wife's father, the Earl of Suffolk, Lord Chamberlain of the King's Household, and begged him to use his authority with his wilful daughter. Suffolk and his wife probably knew all there was to know about their daughter's folly with the Prince, who had renounced her, and about her passion for Viscount Rochester. If so, they must have trembled at the scandal that might become the talk in all the taverns and the theme for ballad-makers in Paul's Walk. At any rate they determined that Frances must be compelled to fulfil the marriage contract, and they commanded her to surrender to the lawful authority of her husband. "The Father," says Wilson, "made use of his Paternal Power to reduce his daughter to the obedience of a Wife."

But she had a respite. The young Earl of Essex was suddenly struck down by one of those contagious diseases which ravaged London in days when luxury hid but did not counteract the horribly insanitary conditions of the great houses and palaces of the City.<sup>1</sup> For some time he

<sup>1</sup> Wilson.

lay at death's door, and perhaps then for the first time there came into the mind of a girl maddened by her love for Carr which she could not satisfy in innocence, the evil thought that if Essex died she would be free.

But the young man's constitution was robust, and stubborn against disease, and gradually he shook off the fiends that had put their grips upon him. Perhaps as he lay on his bed, unnursed by the woman who should have been by his side, he brooded over this strange problem of his future home-life, and became more fixed in his resolution to coerce the girl into the fulfilment of her duty. It is certain that when at last he got up he again went to the Earl and Countess of Suffolk, and again demanded the support of their authority.

Frances, Lady Essex, was now panic-stricken. It seemed to her that if she went to live with her husband she would lose Carr's love. Indeed, it seems from certain phrases in her letters that Carr actually threatened this.<sup>1</sup> It is very difficult to understand what exactly were Carr's relations with the girl at this time. That there had been affairs of love between them is of course certain, but they do not seem at this date to have gone very far on the Favourite's side. He had been enticed by her bright eyes, and had given her unmistakable proofs of his affection; but it is clear that upon her husband's return Lady Essex was under the haunting fear that Robert Carr would discard her. No doubt he was afraid of an open scandal, and of jeopardising his position with the King. It is probable that in the early days of this intrigue Carr would have been glad to withdraw, though the beauty of the young creature had put a spell upon him, which he could not shake off without doing violence to his own nature. That is the only interpretation one can put upon the behaviour of Lady Essex at this date. Tormented by the double dread of being the actual wife of a man she hated, and of losing the one she most desired, she turned for help to counsellors who gradually dragged her into

<sup>1</sup> "State Trials." Wilson. "Truth Brought to Light."

such a web of vice that she could not escape. They tempted her like devils, by horrible suggestions, and with a deep and subtle cunning played upon her passion, revealing the thoughts that had seemed to be hidden in her own heart, praising them as innocent desires, and pretending that they might easily be fulfilled, secretly and without shame. She was a fine prey for those vultures of human souls who whetted their beaks in the dark and foul places of London life in the seventeenth century. This beautiful girl, a child in years, the daughter of the noblest and richest House in England, whose lover could dip his arms up to the elbows in the King's Treasury, was a victim such as they did not often get into their clutches. How they would pluck her before they were done! How easy it was to play upon this overheated imagination, and to defile it with superstitious ceremonies and all the toys and tricks of the "magic art," which were still believed in, not only by the ignorant, but by the highest intellects, and by that very Solomon, King James himself!

There are still palmists, and crystal-gazers, and necromancers in this twentieth-century London of ours, to whom women of wealth and rank are not ashamed to go. The eternal gullible has still many votaries. In the days of the first Stuart the Black Art was an established profession, though then its doctors practised with the risk of being tortured by the witch-finders, and hanged or roasted as a public spectacle. There were many, however, to take the risks, for there were nice profits to be gained. Ladies and gentlemen of Whitehall were willing to pay heavy sums, or to make presents of their jewels, for the privilege of taking, as they believed, a peep into the future. But these quack doctors, and "wise women" dealt in other wares. They dispensed love-philtres which had the effect of causing amorous emotions in the hearts of those who took them towards the man or woman who administered them. That at least was what they claimed; and credulity was common enough from London Bridge to

St. James's. And they had a great learning in the use and strength of drugs, so that a little white powder put with a man's salt would make him die, in the most natural way, by inches, or a tiny globule, conveyed by the prick of a ring, would finish his earthly business in less than half an hour.

Lady Essex in course of time had dealings with masters in every branch of this thriving trade; but the first one to whom she went for advice, and who afterwards introduced her to the confraternity, was a Mrs. Turner.

This woman was the widow of a doctor of physic, and in her time had mixed in good society. Though not tall she had some claims to good looks, and many indeed called her beautiful, and she was famous in the world of fashion for having been the first to introduce yellow starch in ruffs. But she had led a loose life, and by riotous extravagance had not only ruined her husband but herself. Being ambitious of still making a show in society, she had to scheme out some way of earning money, and as she had already lost her reputation she was tempted to an evil line of business. She became one of those vile women who acted as the go-betweens of guilty lovers. Lady Essex seems to have had some acquaintance with her, and now went secretly to her house at Hammersmith and unburdened herself of all her bitter and rebellious thoughts.<sup>1</sup>

Mrs. Turner was not slow in seeing her opportunity for evil. "Being in necessity and want," she perceived here a means of enriching herself. This lady of quality was ready to pay any money so that she might get free of her husband, and secure Carr's love. The woman herself was ignorant of all those devices by which such things could be done, but she had sufficient knowledge of evil to be acquainted with a master of the art.

One day she took Lady Essex to Lambeth, where a certain Dr. Forman lived, and to this arch-quack the women told their tale under a pledge of secrecy.

This Forman had had a remarkable career, and by

<sup>1</sup> "Truth Brought to Light," and Arthur Wilson, etc.



education was fitted to lead a useful life. But there was some moral kink in his nature which made him turn all his knowledge to base ends, until he seemed at last deliberately to have sold his soul to the devil. Part of his story has been told by himself in the autobiography of his youth, and in a diary which covers several years of his professional life. It is surely the strangest manuscript in a public museum, and as it is not every day one is able to read the diary of a magician, some part of it may be quoted as a curiosity.

Simon Forman was born, he tells us, on December 30, 1552, in a village of Wiltshire called Quidhampton. As a child he was troubled with hallucinations. "His father" (he writes the first part of his life in the third person) "for the affection he had to him wold alwaies have him ly at his bedes feete in a lyttle bed for the nonce, and soe soon as he was alwaies laid downe to sleepe he should see in visions alwaies many mighti mountaines and hills come rowling againste him, allthough they wold overrun him and falle on him and brust him, yet he gote upp alwaies to the top of them, and with much adoo went over them. . . . And these dremes and visions he had every night continually for 3 or 4 yeares space."

When Simon was about eight years old a certain minister, William Ryddonte, came to Salisbury, near the dwelling-house of the Formans. He had been a cobbler but after Queen Mary's days he turned schoolmaster. A man of fifty years, "he could read English well, but he could no Lattine more than single accidens, and that he lerned of his two sonnes that went daily to a free scolle." This learned cobbler fled from the heart of Salisbury, which was infected with plague, to the priory of St. Giles, close to Simon's parents, and the boy was put to school with him to learn his letters. But "when he came to learn In the name of the Father, etc., because his capacity would not understand the mystery of spelling he praied his master he mighte goe to scolle noe more, because he should never lerne yt; but his said master

beat him for yt, which made him the more diligent to his bocke, and after some four days when he had pondered thereon well, and had the reason thereof, he lerned yt. And after that his master never beate him for his bocke again. And he profited soe well that in on[e] yeare or lyttle more he had lerned his single accidentes and his rules cleane out."

After this he went to school with a Canon of the Cathedral named Mintorne, and the man, being poor and pious, lived very austerely. In the winter he had wood in the house but no fire. "Alwaies when he was a-cold he wold goe and carry his faggots up into a lofte till he was hote, and when he had carried them all up, he wold fetch them downe again and burne none, and soe he made this Simon doe many a tyme and ofte to catch a heate saying it was better to heate himself so than to syt by the fire."

At fourteen years of age, after the death of his father, Simon was bound apprentice to a grocer and apothecary in Salisbury, where, in pounding drugs and mixing physic, he first gained a knowledge of medicine. He had a taste for study; but his master took his books away, finding that he spent too much time in reading, and neglected his duties behind the counter. Simon, however, had a curiosity for knowledge which was not to be checked, and he managed to get some smattering from a bed-fellow who went daily to a free-school. At night Simon Forman would keep his comrade awake learning all that he had got by heart during the day.

The boy was very ill-used at this place by a kitchen wench, called Mary Roberts, who would knock him about till the blood ran from his ears. At last he determined to revenge himself, and one day when he was alone with the girl he shut the shop door, and took down a wooden yard-measure. Mary went straight for his ears, for which her hands had a peculiar liking. "But Simon stroke her on the hands with his yerd, and belaboured her soe or he wente that he made her black and blue alle over and

burst her head and hands, that he laid her alonge crying and roringe like a bulle, but he beat her thorowly for all her knavery before to him done." After this hiding the boy and girl became the best of friends, and "many a pound of butter she yeilded in the bottom after for Simon's breakfaste, which before she wold never doe."

But the apothecary's wife hated Simon, and so continually ill-treated him that he got his indentures of apprenticeship and trudged off. It is a curious revelation of the pedagogy of that time to find that at eighteen Simon Forman, like the cobbler who "could noe Lattine," set up a school of his own. By this means he scraped together some money, and with this tramped to Oxford, where he obtained entrance as a "poor scholar" at Magdalen College. Here he stayed two years, studying well, but spending his spare hours in hare-hunting and deer-stealing at Shotover in the company of two young Bachelors of Art, one of whom, named Thornbury, was afterwards Bishop of Limerick. Shakespearean students need not be reminded of the old tradition that William also went deer-stealing at Shotover. One wonders whether he knew this lad who afterwards became a doctor of magic.

Without getting his degree Simon Forman left Oxford, and became a schoolmaster again. So far his career was creditable, and showed a real tenacity of purpose in his quest of knowledge. But now he was seduced by the study of astrology, and, abandoning pedagogy, he set up business as an apothecary and fortune-teller. His life henceforth was a series of strange adventures. He was many times arrested, beaten, and imprisoned for fortune-telling by order of the civil and ecclesiastical courts, and it happened as a rule that when he was lying in prison his lodgings were broken into by the neighbours, who stole all his goods. He was reduced to such poverty, and was in such peril from his enemies, that he had to return to his native village of Quidhampton, and, he says, "did many times thresh and dig and hedge for my living." But

he gained a local reputation as a bone-setter and healer of the King's evil. Then under the year 1581 we find an entry in his diary that "The 21st of October I took a house in Sarum on the dich by the skinner, and there I dwelt, practising physick and surgery, and I began to live againe." He seems to have preyed on women as the means of recovering his fortunes whenever they were at a low ebb. There are many entries in his diary like the following, given under the year 1584: "Profit by a woman's friendship both in meat and money and apparell . . . a reasonable good and quiet yeare." Whenever he was on his legs again after a beating and imprisonment he always returned to his old trade of quack-doctor and fortune-teller. In 1588 he was initiated into the deeper secrets of the Magic Art. "This year," he wrote, "I began to practise nigromancy, and to calle spirits." In 1590 "At Al-hallowtyd, I entered the Cirkell for nigromantical spells. . . . The 22nd dai of March, A.M. at 8 *we heard musick at Cirkell.*"

It is clear from many of the entries in his diary that during the next few years he became well known as a healer and magician outside the City of London, where he now lived, doing a good trade with citizen's wives. In September 1595 he writes: "This day, P.M., at 55 past 3 I bought a peyer of black stockings, cost 12s., and that morning I drempt of 3 black rats and of my philosophical powder which I was distilling of, and that day *came Mr. Rocks the Queen's physician to me to be acquainted with me.*" He was now a prosperous man, and keeping a good house, with servants, and living in some luxury. "This summer" (1600) "I had my own pictur drawen, and had my purple gowne, my velvet cap, my velvet cote, my velvet breeches, my taffety cloke, my hat, and many other things, and let my hear and berd grow. Many slanderous speeches wer by the doctours and others used secretly against me, yet I thrived reasonable well, I thanke God." In 1600 "I bought moch household stufte and provision for the house and moch apparell, and was at much charge in keeping of my



horse, my conies. My servantes wer very disobedient, and negligent and careless. *This yere I became acquainted with my L. of Hartford, and with my Lady Mary, and divers other gentlemen.*"

About this time he went to Holland, where he met an assembly of magicmongers, by whom he was taken into the inner mysteries of their trade. Then he came back, and set up as a physician in Philpot Lane, but his practice had an ill repute, for it was mainly directed towards duping the public by astrological prognostications, charms, love-philtres, incantations, and other tricks of the Hidden Art. He became so notorious that he was summoned by the Society of Physicians for practising without a degree. Having been imprisoned four times and fined once, Forman thought it best for his future welfare to become properly qualified, and he entered Jesus College, Cambridge, where, in June of the year 1603, he obtained his degree of Doctor of Physic and Astronomy. Then he returned to London, and, taking a house at Lambeth, became the most celebrated of all those charlatans who, with a certain belief in their own magical power, duped themselves as well as their victims.

"He was a person," says Anthony Wood, "that in hororary questions, especially theft, was judicious and fortunate; so also in sickness, which was indeed his masterpiece, and had good success in resolving questions about marriage."<sup>1</sup>

To this arch-charlatan Lady Essex and Mrs. Turner went for help; and he formed a compact with the widow to prey upon the young lady of quality, and to poison her mind by all these juggling tricks which were his stock-in-trade.

Shakespeare, who at this time was still living quietly at Stratford-on-Avon, and who knew the dark haunts of London, has given a portrait of one of these apothecaries and poisonmongers which may have been taken from Forman himself. And he gives a picture of a shop which

<sup>1</sup> "Athenæ Oxonienses."

helps us to imagine the place to which Lady Essex drove secretly with Mrs. Turner :

I do remember an apothecary,  
 And whereabouts 'a dwells, which late I noted,  
 In tatter'd weeds, with overwhelming brows  
 Culling of simples ; meagre were his looks,  
 Sharp misery had worn him to the bones ;  
 And in his needy shop a tortoise hung,  
 An alligator stuff'd and other skins  
 Of ill-shaped fishes ; and about his shelves  
 A beggarly account of empty boxes,  
 Green earthen pots, bladders and musty seeds,  
 Remnants of pack-thread, and old cakes of roses,  
 Were thinly scatterèd to make a show.

These men sometimes covered their "tattered weeds" with gowns of black velvet, embroidered with cabalistic figures, and behind the shop with the alligator skins was a room heavily draped in dark curtains, where, over old books of parchment filled with strange signs or symbols, they muttered incantations and unholy prayers, calling upon the spirit world and their own "familiars." And they had secret ceremonies of initiation into the magic art, by which they impressed the imagination of their victims and bound them over by awful oaths. It seems that Lady Essex allowed herself to become a novice in these evil mysteries ; for this high-born girl, the wife of a noble young man, and brought up in all the haughty arrogance of her class towards people of low degree, actually humiliated herself so far that she called this infamous impostor "Father."<sup>1</sup> But she abased herself still more, and lost all sense of womanly shame by revealing the most secret things of her heart. She implored this man's help to secure the love of Carr, and to influence her husband's will so that he should no longer desire to claim her as his wife.

Mrs. Turner could vouch for his skill in fostering a man's passion for a woman. She had desired the love of a certain gentleman at Court named Sir Arthur Mainwaring,

<sup>1</sup> "State Trials."

and after having submitted unconsciously to Forman's magic arts, he had been possessed with such ardent desires for Mrs. Turner's company, that he had dug spurs into his horse and ridden furiously through a fierce storm and black night to her house.<sup>1</sup>

Forman persuaded Lady Essex that he could in the same way influence the affections of Viscount Rochester; that his love for her would be steady and secure. And as for her husband she need have no fear, even though she should be compelled to go down to the country with him. There was a powder which she could put into his food without his knowledge, and it would have the effect of making him feel no attraction towards his wife, so that he would be glad to leave her alone, to go her own ways.

Lady Essex took the white powders with her, thanking her "sweet father" for his goodness, and paying him handsomely, no doubt, as we know she paid others of his craft. And Mrs. Turner took her fees also, and told the young lady to be of good cheer, for if she trusted in her friends they would make everything come right, according to her wishes.

By this time my lord of Essex had seen enough of the ways at Court to know how evil was the influence around the young girl. Being a Puritan by nature, he thought, wisely enough, that it was absolutely essential to his own happiness and his wife's honour to take her away to the purer air of the country.

"The good Earl," says Wilson, who was in his employment, "finding his Wife nursled at the Court, and seeing no possibility to reduce her to Reason till she were estranged from the Relish and Tast of the Delights she suck'd in there, made his condition again known to her Father. The old man being troubled with his Daughter's disobedience, imbittered too, being near him, with wearisome and continual Chidings, to wean her from the Sweets she doted on, and with much ado forc'd her into the Country. But how harsh was the parting, being rent away from the Place

<sup>1</sup> Wilson.

where she grew and flourish'd ! Yet she left all her Engines and Imps behind her ; the old Doctor, and his Confederate Mrs. Turner, must be her two Supporters : she blazons all her Miseries to them as they depart, and moystens the way with her Teares. Chartley was an hundred miles from her Happiness, and a little time thus lost is her Eternity."

Now followed one of the strangest romantic dramas that have been told in actual history. Only the bare details of it have been narrated by contemporary writers, but they are enough if imagination reads between the lines. Some scenes in Shakespeare's "Taming of the Shrew" are recalled vividly to one's mind by this homing of the Earl and Countess of Essex, except that Robert Devereux was not so brutal as Petruchio, and Frances his wife had not the underlying sweetness of Katharina. But in other details the stories are very similar. During the long drive to Chartley there was no gaiety nor endearment in the great lumbering coach which was drawn by sturdy horses along the highways and over the country roads, which were deep in ruts. If the country-folk came out to bob a curtsey or pull a forelock at the noble young lord and lady, expecting to be rewarded by gracious smiles and scattered coin, they must have seen only a white, tear-stained face of a beautiful girl, and a melancholy, haggard face of a young man, who sat silent, with grave eyes. And when, upon reaching the family mansion, the servants ran out to the horses' heads, and the major-domo, some Malvolio perhaps in black velvet, with his staff and chain of office, came forward bowing low, to greet his master and lady with honeyed phrases and obsequious service, the Lady Essex stepped down with her head held very high and a smouldering anger in her glance, while behind came her lord biting his lips, and very irritable.

For some time the lady Essex sulked so that her husband's life was a torture to him, and he was made to look a fool before all his servants and neighbours, who were amazed at the Countess's behaviour. The great house at Chartley, instead of becoming a place of merriment, was full of gloominess, with men and women whispering in corners



and watching the tantrums of a shrew who would not be tamed.

"When she came thither," says Wilson "(tho' in the pleasantest time of summer) she shut herself up in her Chamber, not suffering a Beam of light to peep upon her dark Thoughts. If she stirr'd out of her Chamber, it was in the dead of Night, when sleep had taken possession of all others but those about her. In this implacable and discontented Humour she continu'd some Months, always murmuring against, but never giving the least civil Respect to her Husband; while the good Man suffer'd patiently, being loth to be the Divulger of his own Misery: yet having a Manly Courage, he would sometimes break into a little Passion, to see himself slighted and neglected by his wife; but having never found better from her, it was the easier to bear with her."

One may realise from these and other bare details given by contemporary writers what a domestic tragedy it was between this husband and wife, who were still hardly more than a boy and girl. Arthur Wilson, who was the flatterer of his patron, lays stress upon the young Earl's patience; and certainly it must have been phenomenal to have put up with a woman who steadily refused to behave like a wife, who flouted him before his own people, and shut herself away from him in her own apartments, where she gave herself up to bitter tears and passionate sighs. But even, as Wilson confesses, the patience of Lord Essex was strained too far at times, and another writer tells of his hard words and "sharp answers."

Yet it was clear that for some time he was resolved to bear with her, hoping to conquer her dislike to him gradually by constant solicitude and courtesy. In spite of her shrewishness, he was fascinated by her beauty, and, according to the nature of men, was more anxious to tame her because she avoided him. He answered her frowns with smiles, and when she passionately protested her wish to go back to Court he tried to convince her that a woman's honour was safer away from that noxious atmosphere.

"The good Earle, carrying an extraordinary affection towards her, and being a man of milde and courteous condition, with an honest and religious love, ready rather to suffer than correct those outrages, patiently admonisheth her to a better course of life, and to remember how that all her fortunes depend upon his prosperity, and therefore she in this offered more injury to her selfe than hurt to him."<sup>1</sup>

But Frances, Lady Essex, was not to be won over by reasonable arguments, nor even by tenderness and constant courtesy. Robert Carr was always in her thoughts; and passionately vexed that a hundred miles lay between her and this man, with whom she had left her heart, she had only hatred for the boy who had forced her away, and kept her prisoner. In her lonely room she schemed out evil things, and, with a morbid imagination inflamed by the vicious suggestions of Dr. Forman and Mrs. Turner, sought for an opportunity of administering those drugs which they had given her for her unsuspecting husband. She must have had accomplices. She must have bribed over some of the maids at Chartley or some page in attendance on the young Earl. It was not difficult for a woman who not only had many jewels but a beauty which tempted men to wickedness. If we may believe Arthur Wilson, who, as the Earl's secretary, had an opportunity of knowing the secret history of this affair from the inside, the Countess kept up a correspondence with the quack doctor, and "the Man being skilful in Natural Magick, did use all the Artifice his subtilty could devise really to imbecillate the Earl; for no Linen came near his body that was not rinsed with those Camphoric Compositions, and other faint and wasting Ingredients; and all inward Applications were foisted on him by corrupted servants. . . . Which *Veneficium* is one great part of Witchcraft destructive to Nature and horribly abominable to be practised."

There is something very dreadful in the thought of this beautiful young girl tampering with her husband's servants to destroy his body by the white powders and drugs

<sup>1</sup> "Truth Brought to Light."



From an engraving by T. A. Dean, after a painting by Walker.

ROBERT DEVEREUX, EARL OF ESSEX.

p. 76.





sent to her by Forman, and watching the Earl day after day to see the effect upon him, getting desperate when she found that no effect was visible. We may smile now at the credulity which put faith in such vile superstitions ; but when we remember that all classes of society in the seventeenth century firmly believed in witchcraft, the woman of beauty and rank who deliberately made use of practices which some believed were derived from the devil and his agents becomes a horror, and loathsome to the imagination.

The young Earl, ignorant of the attempts being made upon him by the wife whom he still desired to tame, wrote to her family telling them of his misery ; and, to give them credit, the Earl and Countess of Suffolk did their best to urge their daughter to behave obediently as a wife. Aware now that the reputation of the whole Howard family would suffer if Lady Frances persisted in her conduct, they sent down their son to stay with the Earl of Essex, and to use his influence with the girl.

Lady Essex, when the family battery was brought to bear upon her,<sup>1</sup> wrote a despairing letter to Mrs. Turner. She addressed it to her "Sweet Turner," and vowed that she was "out of hope of any good in the world," for her father and mother and brother had sworn that she should behave to Essex as a good wife. "My brother Howard was here, and said he would not move from this place all winter ; so that all comfort is gone." What was worst of all, she said, was that her husband had complained that she was no true wife to him, and, although her father and mother were angry, she would rather die a thousand times over, for, besides the suffering, she would lose Carr's love if ever she allowed Lord Essex to believe she loved him. In that case, she said, alluding to Carr, "I will never desire to see his face." Then she made a statement, very significant, and bearing out the accusations against her of drugging her husband :

*"My lord is very well as ever he was, so as you may see in what a miserable case I am. You may send the party<sup>1</sup>*

<sup>1</sup> Dr. Forman.

word of all ; he sent me word all should be well, for I shall not be so happy as the lord to love me. As you have taken pains all this while for me, so now do all you can, for never so unhappy as now ; for I am not able to endure the miseries that are coming on me, *but I cannot be happy so long as this man liveth.* Therefore pray for me, for I have need ; but I should be better if I had your company to ease my mind. Let him know this ill-news ; *if I can get this done you shall have as much money as you can demand, this is fair play.*

"Your sister,

"FRANCES ESSEX."<sup>1</sup>

In a court of law, on a charge of murder, a letter like that would be damning evidence ; and it seems to prove that Lady Essex, after using drugs which she hoped would bewitch her husband, so that he would no longer desire to live with her, was now eager for more deadly medicines, which should make her free of him for ever.

At this same time she wrote from Chartley to that infamous scoundrel, Forman himself ; and one is startled by the endearing terms with which she addresses him. This letter was found in Mr. Forman's possession after her husband's death :<sup>1</sup>

"SWEET FATHER,—

"I must still crave your love, although I hope I have it, and shall deserve it better hereafter : remember the galls, for I fear, though I have yet no cause but to be confident in you, and I desire to have it as yet remaining well ; so continue it still if it be possible. And if you can you must send me some good fortune, alas ! I have need of it.

"Keep the lord<sup>2</sup> still to me, for that I desire, and be careful you name me not to anybody, for we have so many spies, that you must use all your wits, and all little enough, for the world is against me, and the heavens favour me

<sup>1</sup> "State Trials."

<sup>2</sup> Robert Carr, Viscount Rochester.

not, only happy in your love. I hope you will do me good; and if I be ungrateful, let all your mischief come unto me.

"My lord is lusty and merry, and drinketh with his men; and all the content he gives me is to abuse me, and use me as doggedly as before. I think I shall never be happy in this world, because he hinders my good, and will ever, I think so. Remember, I beg, for God's sake, and get me from this vile place.

"Your affectionate, loving daughter,

"FRANCES ESSEX."

"Give Turner warning of all things, but not the lord.<sup>1</sup> I would not have anything come out for fear of the Lord Treasurer, for so they may tell my father and mother, and fill their ears full of toys."

How long the woman's obstinacy continued, and how long the Earl's patience, cannot be known exactly. After spending the summer and autumn of 1610-11 down at Chartley, Lord Essex, either bored to death at his country seat with his shrewish wife, or believing that if she returned to her old haunts she would be more civil with him, came back to Court.<sup>2</sup>

But it seems that before this he did succeed in wearing down the resistance of Lady Frances, and that after her long state of sulkiness, in which she made no secret of her hatred, she was induced by her family and himself to behave to him at least outwardly as a wife. If we can believe the depositions of their servants and friends taken down afterwards,<sup>3</sup> these people were led to believe that after the first few months their lord and lady were living in the ordinary way as man and wife. Thus Catharine Dardenell, "one of the lady Frances's domestick servants, aged about 16 years," deposed, towards the end of 1613, that "about this time three years lady Frances went to the Lord Chamberlain, her father's, at Awdley-end in Essex,

<sup>1</sup> Rochester.

<sup>2</sup> Wilson, and "State Trials."

<sup>3</sup> "State Trials."

and remained there all that summer, whither the earl came to her and staid sometimes a week, sometimes a fortnight, and they conversed together as man and wife."

Katharine Finds, daughter of Thomas, Lord Clinton, a young lady of about eighteen, deposed that "from Midsummer last" (1612) "to All-hollantide, the earl of Essex and lady Frances remained and kept company together as man and wife; first at the countess of Leicester's house at Drayton, in Warwickshire, and after at the earl's own house at Chartley, in Staffordshire; and that for two of the nights they lodged at Drayton, being on a Sunday at night and on a Monday at night, they to her knowledge lay together in one chamber. . . . That before Christmas last the said lady Frances lying at Salisbury-house in the Strand, the earl came thither, and went into the chamber where lady Frances was."

Elizabeth Raye, the daughter of William Raye, of Woodstock, aged about 20 years, said that she had served the lady Frances for above twelve months; and that shortly after she came to serve her "my lady went to my lord Knowles's house at Cawsam, in Oxfordshire, where she stayed about a fortnight; and the lord Essex came thither to her, and that here they stayed together, behaving as man and wife, and seeming to love each other as they did likewise afterwards at Chartley, for above a quarter of a year, and at Michaelmas after that at Durham house at London."

Frances Britten, a widow of fifty-five years of age, said that "having oftentimes occasion of business with the lady Frances, hath come to her since her marriage to the earl, and hath seen the earl and she sup together as man and wife." She also stated "that between Michaelmas and Hollantide was three years" she saw Lady Frances living dutifully with her husband at Hampton Court.

A gentleman named George Powell said that he had served lady Frances from May 1609, and was still in attendance on her. During that time he had seen the earl and his lady "keep company together as man and wife"



at Whitehall, Greenwich, and in their progress attending the King and Queen, at Kensington, Chartley, at Durham House, Audley-end, and other places. "Their cohabitation together," he said, "continued till the end of the year 1612."

These depositions are exceedingly valuable and interesting, because they show that Lady Frances was induced to make an outward show at least of affection towards her husband, and that the world believed that there was nothing out of the common in the relations between the Earl and Countess of Essex. No doubt these witnesses were well paid to conceal any quarrels they may have seen or heard ; for at the time they made their statements it was essential to both parties, and to Viscount Rochester himself, who had the King's support, to prove that Lady Frances had not been guilty of resisting the authority of her husband, and had actually lived with him as his wife. But we can hardly doubt the general accuracy of those servants and friends regarding the fact that the lord and lady had lived together at the various places mentioned, and they show also how, after the first visit to Chartley and the distressing scenes that had taken place there, the unhappy couple went back to society, visited the great houses of the nobles, and followed the King's Court wherever it moved. This bears out the statements of contemporary writers that Lady Frances again enjoyed the company of Carr, though still secretly, as she was watched by many spies, including members of her own family, and her husband's servants, and that her love for him became a deeper and more reckless passion.

## CHAPTER V

### THE FAVOURITE CONTROLS THE COURT AND COUNTRY

WHILE Lady Frances had been at Chartley in the summer of 1610, and afterwards during her visits to great houses, Viscount Rochester had been deeply engaged in affairs of State, and in advancing his own private fortunes. As Favourite and adviser to the King, he was involved in the troubles that were now seething in the Court and State, and his influence must count among the chief causes of that long-drawn duel between Parliament and the Crown which began in the reign of James, and led to the death of his son upon the scaffold. The extravagance of the King and his prodigal generosity to such men as Carr himself had brought its inevitable retribution. In spite of bleeding his people by impositions and forced loans, his Treasury was exhausted, and he was obliged to appeal to the nation for subsidies to carry on the business of the State.

When the Commons met in 1610 they were "packed" by creatures of the Court willing, at a price, to vote according to the will of His Majesty and Council. Even Lord Salisbury had gone to some trouble in securing nominations of men not likely to be restless and revolutionary spirits in the new Parliament, and Rochester and other members of the Court party had been zealous in the same cause, though they had no love for Salisbury himself. In spite of all these efforts, the majority in the House of Commons was by no means willing to vote supplies without

an inquiry into the undeniable grievances of the nation, and they immediately proceeded to debate the King's claim to levy impositions without their consent. Salisbury endeavoured to arrange a contract with the House by which the King should be granted an annual income of £220,000, which, with other means of revenue, would amount to £560,000 a year—a vast sum, though not equal to the amount of money actually spent by the King. After a wordy warfare in Parliament, it seemed as though Salisbury would triumph by arranging this “great contract,” as it was called; but the Commons excited the King's anger by presenting him with a petition of grievances. When it was brought into him, with its long list of signatures, he called out that it was “large enough to serve for a piece of tapestry.” Then upon examining it he found that he was called to account not only for raising money illegally, but for neglecting the welfare of the English Church and sanctioning such evils as plurality of livings, non-residence, and other ecclesiastical irregularities. There was also a grievance as to the manner in which the King issued proclamations which went beyond the power of his prerogative as defined by the Constitution.

Such opinions, expressed by the gentlemen of the Commons, were too bold to be suffered patiently by one who upheld his own doctrine of the Divine Right of Kings. But the temper of this Parliament cowed him into feigning acquiescence until the House was conveniently prorogued.

During the adjournment my lord of Rochester was by his side urging him not to submit to the clamour of men who, if they gained one concession from the Crown, would demand still greater rights and liberties. When therefore the House met in October for a new session, they found that His Majesty had altered his mood, and was not willing to concede the terms of the contract upon which he had previously agreed.

On the other hand, the Commons were now quite resolved not to vote any supplies whatever until the King should have sent satisfactory replies to their grievances.

In the debates that followed in the Lower House, Sir Roger Owen, one of the leaders of the Democratic party, emphasised the conditions upon which they were prepared to grant supplies: 1st, there must be a full answer to their petition; 2nd, the King must resign his claim to levy impositions; 3rd, the money granted by Parliament must be raised in a way least burdensome to the country; 4th, the King must not increase the value of the money by altering the coinage; 5th, all doubts as to the meaning of the contract were to be referred to Parliament for interpretation; 6th, the King was not to neglect the summoning of Parliaments.

James, upon hearing these conditions, was moved with the greatest emotion, his anger being no doubt tinged with alarm. Carr, according to all accounts, urged an uncompromising attitude, and threw the whole weight of his personal influence with the King against the Commons. The members of the Lower House must have been startled when their Speaker received a message from His Majesty demanding a subsidy of £500,000 for the settlement of his debts before the terms of the contract were taken into consideration by him. Such a sum was unparalleled and monstrous. One member voiced the opinion of the majority when, alluding to Carr and the other favourites, he said it was "unfit and dishonourable that those should waste the treasure of the State who took no pains to live on their own, but spent all in excess and riot, depending wholly upon the bounty of the Prince."

This determined opposition of the House had some effect upon the King and his advisers, and James sent them a letter making some concessions. But the Commons were resolved to have all their demands granted, and, while they waited for further concessions, enlivened their debates by making an attack upon the Scottish favourites, in which Carr was specially aimed at.

The King now lost his temper, and turned upon Lord Salisbury, who was still urging him to come to terms with his Parliament. Carr inflamed his wrath against the repre-





From a contemporary print.

JAMES I., WITH A VIEW OF OLD LONDON IN THE BACKGROUND.

p. 84.



sentatives of the people, and, hating Salisbury, who had always been his enemy, made the most of the King's irritation against his old Secretary of State.

Then a rumour came that the Commons would demand the eviction of the Scottish favourites and their return to their native country. It is no wonder that Carr took fright. To leave England for the North would be to forsake the land of plenty for a barren desert. At Whitehall he played skilfully upon the King's emotions, and the thought of losing this young man, upon whose shoulder he leant, dangling his yellow locks, was not among the minor causes which determined the King to break with his audacious Parliament. He protested angrily that he would have no "asinine patience" with them, and that he would not accept the largest subsidy from the Commons if they "were to sauce it with such taunts and disgraces as had been uttered of him and those that appertained to him." He ordered the Speaker to dissolve the House, and it was only Salisbury, Pembroke, and the saner members of the Council who kept him from committing some of the members to the Tower.

Carr had saved himself from a great personal danger, though the English people were to suffer now for the safety of this Scotsman, not only in their pockets, but in their honour. It was Robert Carr, raised to the English peerage as Viscount Rochester—the first man of his nation to obtain a seat in the House of Lords, though he had done most to incite the King to resist the liberties of Parliament—who now conceived a scheme for raising money, which still remains as one of the blackest disgraces upon the reign of the first Stuart.

The King having dissolved Parliament without getting any of the vast sums he required, was now in the most desperate straits, and, apart from his personal needs, it was urgently necessary to raise money for the military and civil establishments of Ireland, which was a great drain upon the English Exchequer.

Carr hit upon the ingenious but scandalous idea of

trafficking in titles. It seemed to him that there were many respectable and well-to-do Englishmen—merchants and squires—who would be glad to buy an hereditary title for a considerable sum of money, which could be used for the army in Ulster. This suggestion seemed admirable to the King, who wanted money by fair means or foul, and it was not opposed by a majority in the Council. Even Salisbury seems to have acquiesced in the scheme, though he must have deeply disliked such an undisguised method of corruption. The title of Baronet was therefore offered to all persons of good reputation, provided that they possessed lands worth £1,000 a year, and were willing to pay into the Exchequer £1,080 in three annual payments, being the sum required to keep twenty foot soldiers for three years. Although the number of those likely to accept this offer was overestimated, a large sum of money was raised in this way, and Ireland was kept in subjection by money which destroyed, in some measure, the prestige of the old aristocracy of England.

The King adopted other expedients for "raising the wind" without the assistance of Parliament, but he did not check the vast extravagance at Court, or economise in the donations to his parasites.

One of his methods of swelling the Treasury was more iniquitous than that of selling titles, though no doubt it would have been supported by the Commons. This was to enforce the Oath of Supremacy upon all "recusants," as the Catholics were called, to condemn those who refused to heavy fines and imprisonment. On November 29, 1611, we find a letter from Viscount Rochester to Lord Salisbury. "The King," writes Carr, "wishes to know what account the judges and justices of the peace give as to the enforcing of the Oath of Allegiance. It is a point essential to government, and necessary for the supply of the King's needy servants."<sup>1</sup>

The last sentence is a very frank explanation of the sudden resolution of the King to put the screw upon his

<sup>1</sup> Domestic State Papers.



Catholic subjects—the people of his mother's faith, among whom were many who had already lost their fortunes for proclaiming her right to the English throne.

The Oath of Allegiance could not be taken by Catholics without denying their religion. It contained phrases insulting to their Church, and the Pope had forbidden the faithful to take such an oath. Some, in their weakness, submitted. But many courageously refused, preferring to lose their fortunes and their liberties rather than deny what they believed to be the truth. The penalties for refusal fell not only upon the rich but upon the poor.

"Numbers of loyal subjects," says Gardiner, "stood firm in their refusal. The prisons were soon crowded with men who were not inclined to betray their consciences. Even those who escaped actual ill-treatment lived in a state of constant insecurity. A miserable race of informers, and of officials who were as bad as the informers, swarmed over the country, who, knowing that by a word they could consign to ruin the master of the house into which they entered, allowed themselves to treat the inmates with the most overbearing insolence. These men cared much more about putting money into their own pockets than about procuring a conviction which would enrich the King. Heavy bribes might buy them off, until they chose to return to renew their demands. Those who refused in this way to obtain a respite from their persecutors were dragged off, often under circumstances of the greatest indignity, to the nearest justice of the peace, where the oath was tendered to them, on pain of being immediately committed to prison. The aged and the weak were not seldom subjected to personal violence. It frequently happened that those who escaped were reduced to beggary, and were compelled to subsist upon the charity of others who were left in possession of some little which they could, for the moment, call their own."

To Carr's credit—and there is such little credit to his account that this must not be forgotten—he did not take an active part in enforcing the Oath of Allegiance, except

as he was commanded by the King. This is borne out by the testimony of the Spanish Ambassador in a letter, the contents of which were divulged by spies to Sir John Digby, our own Ambassador at Madrid, and sent home to the King. These notes are worth quoting in full, because they give an accurate picture of the situation at Court as seen by foreign eyes.

"The Spanish Ambassador," writes Sir John Digby, "has sent home the following particulars of the English Court, viz.: That the King grows too fat to be able to hunt comfortably, spends much time in reading, especially religious works, and eats and drinks so recklessly that it is thought he will not be long-lived; he is obstinate in his religious opinions; his chief favourites are Scotchmen, and especially Visct. Rochester. That the Queen leads a quiet life, not meddling with business, and is on good terms with the King. That the Prince<sup>1</sup> is a fair youth of sweet disposition; and under good masters might easily be trained to the religion his predecessor lived in. That the Council is composed of men of little knowledge, some Catholics, but most schismatics or atheists, *and the King resolves on all business with Visct. Rochester alone, who is no persecutor of Catholics.* That the Duke of Lennox and Lord Hay are pensioners of France. That Catholics are persecuted by the Archbp. of Canterbury and the Bp. of London, and by the King, in hope to propitiate Parliament into granting subsidies, and *that he may have their forfeitures to give to his servants.* This persecution was increased, and a fresh oath of allegiance exacted from the fright caused by the death of the late King of France.<sup>2</sup> That the King has impaired his revenue by sale of his lands, etc., and yet is five millions in debt, and is profuse in his gifts. The Earl of Northampton opposed in Council the calling a Parliament for supplies, because they would censure the King's modes of raising moneys. He [the King] intends to raise three millions by sale of the Royal woods, and

<sup>1</sup> This referred to Prince Charles.

<sup>2</sup> Henri IV., murdered by Ravallac.

of deer. The shipping, castles, and forts are going to decay.”<sup>1</sup>

This letter is rather in advance of the facts that have been narrated, for it was written some time after Carr became a Privy Councillor. Although for more than a year he had been taken completely into the King's confidence, and was his most intimate companion and adviser, it was not until April 29, 1612, that he was formally made of His Majesty's Privy Council. This is noted in a letter from John Chamberlain to Dudley Carleton, afterwards Lord Dorchester, then Ambassador to Venice, who says that “Lord Rochester is made a Privy Councillor, *and reconciled to the Queen.*” That reconciliation must have been only a formal one, brought about by the King's persuasion, for we know that at a later date Anne of Denmark was the leader of the Court faction which worked for the downfall of the Favourite.

In the same letter Chamberlain mentions the arrival of the Duke of Bouillon with a train of 200, who were lodged at the Charterhouse. This Prince had come as Ambassador Extraordinary from France on a delicate diplomatic mission. James and his Council had been alarmed at the marriage between a daughter of France and the Spanish heir; and the Duke of Bouillon was to allay the suspicions caused by that alliance, and “to contract a marriage between the Prince of Wales and Madame Christine [the youngest daughter] if the Match may be liked of in England; for the which purpose he is to make offer of the same Summe which hath been given with Madame to the Prince of Spaine, which is 500,000 Crowns, and if more will be required, we do presume that it will not be stood upon here [in Paris] for the Desire the Queen hath to compass so great an Alliance; both for the Preferment of her second Daughter and for the assuring by that means the Quiet of her State on all sides.”<sup>2</sup>

<sup>1</sup> Domestic State Papers.

<sup>2</sup> Mr. Beaulieu to Mr. Turnbull in Winwood's “Collection of State Papers.”

Although Rochester and the Earl of Northampton were, as we know, in close touch with Spain for a marriage contract with the Prince of Wales, they and the King were anxious not to reject the overtures of France, in case the other alliance were impossible. The Duke of Bouillon, therefore, was to be received with the greatest honours; and Sir Henry Wotton, with Sir Robert Rich and a party of distinguished young gentlemen, went over to France to escort him to England. They carried with them many rich gifts (in spite of the desperate condition of the Treasury), among which was "a rich sword, with the hilt, pommel, handle and chape of gold, set full of fair diamonds to the value of sixteen thousand pounds; certain selected sworn jewellers have so valued it."<sup>1</sup>

The Duke's embassy was the occasion of many great festivities, which began, even before his arrival, by a great tilting match on Shrove Tuesday. On this day "the prince, with Viscount Rochester, Sir Thomas Somerset, Sir Thomas Howard, Sir Edward Cecil,<sup>2</sup> and Mr. Ramsay on his side, ran a match at a ring for a supper, against the Duke of Lennox, the Lord Walden, the Lord Cranbourne, the Lord Chandos, the Lord Hay, and Mr. Henry Howard. The prince won, and the supper and plays were made at the Marquis of Winchester's house the Friday after."<sup>3</sup>

At this time there was much talk of marriage and giving in marriage, for the Ambassador of Savoy was seeking the hand of the little Princess Elizabeth for his master, and there were many German gentlemen of high rank in London (including Count Maurice, who was made a Knight of the Garter, to the great jealousy of the Duke of Bouillon) upon the same business.

Lord Salisbury's last work in life was to effect a Protestant alliance with Germany by arranging a marriage contract between the Elector Palatine of Germany and our Princess, and, after so many negotiations elsewhere, it was a relief to the King and his councillors to get this affair

<sup>1</sup> Chamberlain to Carleton. "Court and Times."

<sup>2</sup> Lord Salisbury's son and heir.

<sup>3</sup> Chamberlain to Carleton.



satisfactorily settled. Salisbury himself, who of late had been thwarted by Mary and was at the Council Table, with Rochester as his special and private enemy, was happy in having gained this success, which seemed then to give real strength and security to England. Little did he know then what loss in English blood and money this marriage was to cause before more than a few years had passed. It is impossible, however, to forecast events ; and at that time it was undoubtedly a wise policy promoting a cordial understanding between the Protestant powers of Europe. But for the folly of the King and the headstrong policy of the Favourite who succeeded Carr, it might have saved England much misery and treasure.

It was the last service which Lord Salisbury was able to do for his King and country. Worn out by long labours, and by an anxiety which fretted him in his old age, he was taken ill in Lent of this year, 1612, and retired from the Court to take the waters at Bath. But he found so little good here, writes Chamberlain to his friend Sir Dudley Carleton, "that he made all the haste he could out of that suffocating, sulphurous air, as he called it, though others think he hastened the faster homeward to countermine his underminers, and, as he termed it, to cast dust in their eyes." <sup>1</sup>

As soon as it was known that the First Secretary of State was at death's door the greatest excitement prevailed among the politicians at Court, who already began to speculate upon his successor, and to intrigue for the places which would fall vacant when the Court cards were reshuffled. At the last he had hardly a friend, for all his colleagues was envious of his power, and many of them were in the pay of France or Spain or Savoy, and found him the strongest opponent of their intrigues with those Catholic powers.

The old statesman, who, in spite of his crafty and not too scrupulous character, had sincerely desired the welfare of his country, breathed his last at Marlborough on Sunday,

<sup>1</sup> "Court and Times"

May 27, clear-headed to the end and prepared for death, though not expecting it so suddenly.

Immediately there was a great flapping of vultures' wings and a great croaking over the dead body.

"As the case stands," writes Chamberlain, "it was best that he gave over the world, for they say his friends fell from him apace, and some near about him; and howsoever he had fared with his health, it is verily thought he would never be himself again in power and credit. I never knew so great a man so soon and so generally censured, for men's tongues walk very liberally and freely, but how truly I cannot judge."

By the death of Lord Salisbury, Robert Carr was freed from the man who had stood most determinedly in the way of his own advancement. The Earl of Northampton, too, that wily old villain, rejoiced at the removal of his greatest rival, and, filled with new ambition, schemed and schemed, to gain a higher place and influence at the Council board. As we have seen, he had already entered into a secret alliance with the Favourite, and now believing, as others did, that Viscount Rochester was the man of greatest influence in the kingdom, being consulted on every State secret by his doting master, Northampton used all his wits of flattery to get a hold over the young Scot. Rochester on his side welcomed the opportunity of getting closer into touch with the great-uncle of Lady Frances, Countess of Essex, who still bewitched him.

Many letters passed between the two men. In one of them, dated two days after the Lord Treasurer's death, Northampton is frank in his joy at this event. "A messenger has arrived," he writes, "at whose setting out the news was not known of the death of *the little man*, for which so many rejoice, except Pembroke, Hay, and Cope." He adds that he is near his mistress, and wishes Rochester as near his "if any one can love so ugly and deformed a fellow."

In another letter he gloats over his fallen enemy. "The little Lord," he says, "when at Bath wished never to be

separated from the Welsh Earl [Pembroke], who is likely to prove an alchemist." He sends a satirical epitaph on the late Lord Treasurer, "which, though severe, is true."

Rumours flew fast and furiously as to the succession to the Secretaryship and the Treasury. It was believed that the Treasuryship and Mastership of the Wards, two of the most lucrative places in the State, would be executed by commission for a time; and among the men generally mentioned as likely candidates for the Secretaryship were Sir Henry Wotton (favoured by the Queen), Sir Thomas Lake, one of the King's friends, or Sir Henry Neville, who was the idol of the popular party, and, for some curious reason, patronised by Rochester himself.

It was one of those situations most dear to the hearts of Court politicians and intriguers, and every gust of wind carried with it a new rumour. But some very unmistakable facts stood out among all these wild and contradictory statements, and showed clearly enough which way the wind blew. It was certain that the two men to get most out of the new arrangements were, first, Viscount Rochester, the Favourite, and next, the Earl of Northampton, his confederate. The first plunder they got within two days of the Lord Treasurer's death. "His places and offices are not to be disposed of," writes Chamberlain on May 27,<sup>1</sup> "saving the bailiwick of Westminster, valued at £500 a year, to the Viscount Rochester, and the stewardship of Greenwich to the Lord Privy Seal" [the Earl of Northampton].

It became more and more apparent as the days passed that all appointments lay in the hands of the Favourite. Thus the Mastership of Wards in Chancery was given to Sir George Carew, who had been Ambassador in France from 1605 to 1609, and who, so it was reported, owed the place to my lord of Rochester's favour.<sup>2</sup> His rooms were besieged by courtiers and flatterers and place-seekers. Even gentlemen of the Commons, who had used such

<sup>1</sup> "Court and Times."

<sup>2</sup> *Ibid.*

harsh words about Scotch favourites in the last Parliament, now flocked to him to beseech his patronage for their own man, Neville.

Chamberlain, writing to Dudley Carleton, who was anxiously inquiring for news which would affect his own interests in this game of shuffle-board, tells his friend that "the surest card" [for the post of Secretary], "Sir Henry Neville, will never see you wronged where he may help. If he had not been strongly oppugned every way, he had been settled before this in the Secretaryship. But it is said too much soliciting hath hindered him; and the flocking of Parliament men about him, and their meetings and consultations with the Earl of Southampton and the Lord Sheffield at Lord Rochester's chamber, hath done him no good. For the King says he will not have a Secretary imposed on him by Parliament; and the Earl of Southampton is gone home, as he came, without a Councillorship. In the meantime, the King himself supplies the Secretary's place, and all packets are delivered to the Lord Chamberlain<sup>1</sup> as to the King."

John Chamberlain, who had a very sure knowledge of affairs at Court, advises his friend "to cast away a letter now and then on the Lord of Northampton, as likewise to insinuate with the Lord of Rochester, and send him some pretty advertisements."

Northampton himself wrote to Rochester on August 12, conveying the thanks of Lord Vaux and his mother (two "recusants") for his intercession, "though they expect little mercy where the Metropolitan [Archbishop Abbot] is concerned." Then he goes on: "Many people, noting his Lordship's skill in answering letters, and his urbanity, wish to see him Secretary." Even the Earl of Pembroke, he adds, wishes to be reconciled to him.<sup>2</sup>

This reference to Rochester's "skill in answering letters" shows that the Favourite's "ghost" was busy at this time. If we may believe contemporary writers, it was Overbury's

<sup>1</sup> The Earl of Suffolk, father of Lady Frances, Countess of Essex.

<sup>2</sup> Domestic State Papers.



genius for intrigue and his quick and brilliant pen which served Rochester at this difficult crisis of his life. The two men were inseparable; and Robert Carr, whose education had been meagre, and who had but little knowledge of statecraft, was only able to conduct the great business which now passed into his hands by having a Secretary to write his despatches and to coach him through all the difficulties of his position.

It was probably Overbury who counselled him to give an apparent favour to Sir Henry Neville's plea for the Secretaryship. This could not have been sincere, for Carr had no love for "Parliament men," and it became clear before long that, without any formal appointment of a new Secretary of State, the Favourite himself would take over all the duties of that office, under the King's personal guidance. Sir Thomas Lake, who had been in the greatest hope of succeeding Salisbury, and to whom his seals had actually been delivered, was now requested to hand them over to the Favourite, much to his chagrin. In a letter he writes to Sir Thomas Esmondes, then in Paris, he makes it clear how Rochester and the King have now taken affairs into their own hand. There was a little trouble with the French Ambassador, and James wrote to him on the subject.

"I saw not this first letter," writes Lake in an aggrieved tone, "but both that and this were dictated by his majesty, and written by my lord of Rochester, but delivered to me to convey.

"The said lord *groweth potent here*, and therefore you shall do wisely to respect him thereafter: he hath now the signets delivered to him, which, since the lord treasurer's death, have remained with me by way of custody, as they did in his sickness, and have done often before in his absence. But this maketh much discourse here what his lordship's ends may be.<sup>1</sup>

There was much discourse, but no doubt, about Rochester's new position. He was the fountain-head of patronage, the

<sup>1</sup> Domestic State Papers.

First Minister of State, and the central figure in the Court and kingdom.

Mr. George Calvert, writing on August 1 of this year to Sir Thomas Edmondes, says:

"I doubt not but your lordship hath, by the industry of your agents and other friends here heard that already which I must tell you for news if I write anything at all. You know the *primum mobile* of our Court, by whose motion all the other spheres must move, or else stand still; the bright sun of our firmament, at whose splendour or glooming all our marigolds of the Court open or shut. In his conjunction all the other stars are prosperous, and in his opposition malicious. There are in higher spheres as great as he, but none so glorious. All this is no news to you. To leave allegories, the King is now in progress, and we are far from the Court now to hear certainties; but it is told me yesterday that my Lord of Pembroke and my Lord of Rochester are so far out, as it is almost come to a quarrel. I know not how true this is, but Sir Thomas Overbury and my Lord of Pembroke have been long jarring; and therefore the other is likely."<sup>1</sup>

The truth is that for a ghost Sir Thomas Overbury was a little too apparent, and had an awkward habit of popping his head out of the curtains behind which he was whispering to his master. As time went on, when, owing to Rochester's carelessness of business and devotion to pleasure, he had more and more power put into his hands, opening, as we have seen, the most secret despatches of State, and often knowing more of the intrigues of foreign policy than the King himself, he threw off his disguise to a certain extent, and did not conceal the fact that he was actually, though not nominally, a Secretary of State. He behaved arrogantly to such great nobles as Pembroke, who could not understand nor tolerate his unofficial position, and the time came when, knowing too many perilous secrets, he was arrogant and self-willed even to the man whose secret agent he was. Not yet, however, did he attempt to impose

<sup>1</sup> "Court and Times."

his will upon Rochester and thwart his most passionate desires.

In the meanwhile he fulfilled his bargain faithfully enough, and though it was his hand that wrote the answers, it was to Rochester that all the great men of the State addressed themselves. There are many letters in the Domestic State Papers which prove how completely the Favourite was invested with authority.

Northampton as Lord Privy Seal is constantly in correspondence with him on public affairs, such as the duties on foreign merchandise, the marriage of Princess Elizabeth to the Palatine, the coining of "tokens," the granting of special licences for dressing cloths, the prohibition to import lawns and cambrics into England from Flanders, the "perplexities of Irish affairs," the progress of the Oath of Allegiance in the English counties, treaties with France, the farming of Customs, the suppression of certain houses making gunpowder in inhabited places, the delaying of justice to English subjects in Spain, the grievances of the merchant adventurers, and the disclosure of French State secrets.<sup>1</sup>

Archbishop Abbot takes Rochester's orders, and promises, at the King's command, "to hold good correspondence with the Venetian Ambassador."

Even the minor offices of the Royal household are in the hands of the Favourite; and it is curious and significant to find the Earl of Suffolk, Lord Chamberlain of the Household, writing to Rochester with the news that Edward Allen, the Master of the Bears, is dead, and recommending Tom Badger to succeed him, "he having the finest breed of bulldogs in England."

Yet Rochester was anxious to avoid the charge of seeking all places to his own profit, and on October 8 he writes to Northampton from Royston, exculpating himself from the accusation of demanding the office of Master of the Horse to the prejudice of the Earl of Pembroke, or from compelling the Earl of Worcester to sell it for fear of the

<sup>1</sup> Domestic State Papers.

King's displeasure. He has always, he protests, been very careful of the rights of the English nobility. He refused Lord Montague's escheat and Cobham Hall on that account. One sentence in this letter is startling to those who have believed that Carr was the centre of corruption at the Court of James. "*I am*," he says with emphasis, "*the courtier whose hand never tooke bribes.*"

Strange as it may seem, this is probably true, for Robert Carr, like George Villiers, who followed him, was content with the wealth thrust into his hand by the King, and did not seek to gain by bribery more than he retained by the King's generous prodigality. Contemporary writers who after his downfall piled up abuse upon him, and did not scruple to charge him with the murder of the Prince, did not accuse him of corruption, and in his trial the Attorney-General and counsel for the prosecution who reviewed his career at Court did not suggest by a single word that he had received bribes or given them. Let us give him the credit of this.

In October of this year Rochester was among those who arranged the details for the translation of the remains of poor Mary Queen of Scots from Peterborough to Westminster. There is a remarkable letter from the Earl of Northampton to the Viscount describing the scene.

Though the King's mother's body, he writes, was brought late to town to avoid a concourse, yet many in the streets and windows watched her entry with honour into the place whence she had been expelled with tyranny. "She is buried with honour," says the old Earl, who, though a statesman, was also a poet, "as dead rose-leaves are preserved, whence the liquour that makes the kingdom sweete has been distilled." Then he has an inevitable dig at his old enemy, Salisbury. He was reminded, he said, of the bedlam courses taken by the "Littell one" [Cecil] and his father, in inflaming Queen Elizabeth's ears, though they covered themselves with the passions of Walsingham. But when the Queen's decay threatened ruin to the house of Cecil, he sang "another songe by the quille," and having



aided the King's ascent to the throne, was supported by him." <sup>1</sup>

In November, shortly after the arrival of the Elector Palatine, who came to pay court to the Princess Elizabeth, Rochester went down to Theobalds and Royston with the King. The whole Court followed, and in a private letter of the time there are a few vivid words which show that whether the Favourite were in town or country he was always surrounded by obsequious flatterers. It is from Isaac Wake to Sir Dudley Carleton. Wake had been entrusted with letters from Carleton to Sir Thomas Overbury, but he heard that Rochester was at Theobalds, and he knew that where the master was there would be his servant. "I went down to Theobalds," he says, "*and found out Rochester's lodgings by the store of company that was about it.*" Having discovered the great man, he asked him for portraits of the King and of himself for Carleton, "and hoped to obtain them." <sup>1</sup>

Rochester was now in the thick of the excitement which heralded the arrival of the Elector Frederic, which was the occasion of constant banquets, masks, tilting matches, and other Court functions. But these festivities were clouded over by the saddest event of the King's reign.

One of those who most favoured the engagement of Princess Elizabeth to the Elector Frederic was young Prince Henry, who doted upon his sister and believed that she would be happy in her married life with this Prince of her own faith. As we know, he utterly disliked the idea of being married himself to a Catholic lady, and all these bargainings for his hand with Catholic powers distressed him beyond measure, and inflamed his anger against Rochester, who was the arch-conspirator. But the poor young Prince was spared further troubles in this life.

For some time his friends had anxiously observed a change in his constitution. He became thin and frequently complained of dizziness. In June of 1612, shortly after the departure of the Duc de Bouillon, he was seized with

<sup>1</sup> Domestic State Papers.

a fever, but took little care of it, as he was excited with arranging for the reception of the Elector Palatine, who was coming over to plight his troth to Elizabeth. His illness continued until October, but he still fought against it, and when the Elector Palatine, who landed at Gravesend on Friday night, October 16, was brought to the Banqueting House at Whitehall, the Prince, with the King, Queen, and Princess attended there to receive him.<sup>1</sup> Although he was troubled with a strange lassitude, he took pleasure in the society of Count Henry of Nassau, who had come over with Frederic, and forced himself to play cards and tennis with this gentleman. On Saturday, October 24, he played a great match with him.

"In the match," we are told, "the Prince, too negligent of his own weak state of body and the coldness of the season, played in his shirt, though the spectators could not but be alarmed with the strong marks of his indisposition, expressing to one another their fears of the consequence of it. But after the match was ended he seemed to be sensible of no disorder, having hitherto enjoyed a tolerably good appetite. However, at his going to bed that night he complained more than usual of his lassitude and the pain in his head.

From that time the poor youth was wracked with fever, and his physicians could do nothing to check the disease. Towards the last Sir Walter Raleigh sent him a cordial from the Tower, which, after being tasted and tested, was given to the invalid. It afforded him temporary relief, throwing him into a great sweat, but his weakness afterwards increased. Lingerin in great pain and distress, which he suffered with the utmost courage and piety, he at last expired at a quarter to eight on the night of Friday, November 6, 1612, at the age of eighteen years and eight months.

A great cry of grief went up from the nation at the news of Prince Henry's death. He had been the idol of the

<sup>1</sup> These and the details that follow are taken from Birch's "Life of Prince Henry."



From an original drawing by F. Clementson.

PRINCE HENRY'S ROOM, IN THE HOUSE NOW KNOWN AS NO. 17, FLEET STREET.

p. 100,





people on account of his high spirit and real nobility of character. Unlike his father, who spoke broad Scots, and surrounded himself with his countrymen, young Henry was English of the English, and loved the great traditions of the nation. In those days whenever a man of high rank died from any mysterious wasting sickness (and all illness was mysterious in those days of elementary knowledge of the human system), it was a usual thing to suspect the presence of poison. When such men as Dr. Forman practised their vile trade it was not unreasonable. It was inevitable, therefore, that whispers should be heard that Prince Henry, cut off so early, had been the victim of foul play. At first these whispers were vague, and did not mention any name, but afterwards, when Robert Carr was hated by the nation, he was openly accused of being his poisoner. The old stories of the enmity between him and the Prince were dragged out, to form a motive, and in his own lifetime such a man as Sir Edward Coke, Attorney-General, hinted dark things against him. Rumour went farther than this, and coupled the name of James with that of his favourite, it being well known that the King had been jealous of his son's popularity and alarmed at his independence. That this last accusation could have any foundation was too horrible to be generally entertained, but the charge against Carr became traditional. Bishop Burnet says: "Colonel Titus assured me that he had from King Charles the First's own mouth that he was well assured Prince Henry was poisoned by the Earl of Somerset's means."

Looking back on this event impartially, one cannot discover a single shred of evidence to incriminate Robert Carr, in spite of the dark suggestions made by such writers as Wilson and Weldon. The details of the Prince's illness have been recorded so fully that the course of his disease may be studied, and this and the post-mortem examination prove beyond a doubt that poor young Henry died a natural death caused by fever, aggravated by his own carelessness and the ignorance of his physicians.

We have not yet arrived at the place in this book where Robert Carr's character is to be arraigned before the judgment bar, but it may be said now that, in spite of all the black things against him, he was not a man to hire poisoners to murder the heir to the English throne. Weak and immoral as he was, and a man lifted up without any merits of intellect to a place of almost supreme power next to the King, he was not such a damnable villain as history has painted him. He had indeed a certain largeness of heart and easy good-nature, a frank and thoroughly Saxon character which, in spite of every fault, is seldom tempted to such subtle cruelty as the use of poison to kill an enemy secretly and by inches. This may seem special pleading to those who know the general outline of his history and the crime with which his name will be for ever linked, but a closer examination of the charges which were to be made against him later bears out this judgment. At least, as regards the death of Henry, the verdict of modern historical critics is "Not Guilty."

It is curious, nevertheless, that among the names of all those peers and gentlemen who attended the solemn funeral of the Prince, Viscount Rochester's does not appear. The procession was one of the most remarkable in its mournful grandeur that had ever proceeded through the streets of London. The vast households of the King and Queen and the Prince himself walked before or behind the coffin which carried the dead body of the youth who had been the hope and pride of England, including hundreds of servants and pages and gentlemen-in-waiting, and the attendants of the great nobles. The Elector Palatine and his suite, and the foreign ambassadors came also on horse or on foot, and most of the noblemen who surrounded the English throne came to render the last honours to Henry Prince of Wales. But the King's Favourite was not there; at least he is not mentioned among those whose places were ordered by the College of Arms.

The secret of this notable absence is not to be discovered

and one may only guess vaguely that perhaps the Queen, who even now suspected that her beloved son had been poisoned, and who knew that Carr had always been hated by the Prince, as she had hated her husband's Favourite—used her influence to prevent his appearance in the melancholy pageant. This theory receives some confirmation in a letter from Isaac Wake to Dudley Carleton. It is dated from London on December 17, 1612, a few days after the funeral, and in the midst of general gossip there is one significant sentence: Visct. Rochester *has been in some disgrace*; but his credit is much increased by his tender attentions to the King during his recent illness.<sup>1</sup>

The death of the Prince was not allowed to enforce more than a brief mourning upon the Court, and James was anxious that the tragedy should not cast a gloom upon the festivities in honour of his daughter's marriage. These went on, therefore, with undiminished splendour, though the little Princess Elizabeth must often have wept in secret for the brother whose inseparable companion she had been.

Rochester, as King's Favourite, acted as Master of Ceremonies, though Sir John Finnett held that title and arranged the details of etiquette to be observed. The Elector Frederic, a frank, good-natured, simple young man, was affianced to Elizabeth on December 27, 1612, in the banqueting house at Whitehall. The King attended in state with Rochester at his side and surrounded by all his noblemen and gentlemen. The Palsgrave, as the Elector was called, was first led in by Prince Charles and several great nobles. His silk suit was covered with a black velvet cloak laced with gold. Then came the Princess in a black velvet gown, "sémé of crosslets or quatrefoiles, silver; and a small white feather in her head, attended with ladies." Sir Thomas Lake read out the contract in French, and his pronunciation was so vile that every one burst out laughing at him.<sup>2</sup>

Rich gifts were showered on every side, and the imagina-

<sup>1</sup> Domestic State Papers.

<sup>2</sup> "Court and Times."

tion is staggered by the vast cost of these marriage courtesies at a time when the Treasury was in the deepest embarrassment, and when the people were crying out under the burden of illegal impositions. The Palsgrave himself led the way by prodigal generosity. John Chamberlain, writing to Sir Ralph Winwood on January 9, 1613, says :

"The Prince Palatine (for so he is now styled, and since this contract is usually prayed for in the church among the King's children) was very royal in his presents this new-year's-tide, giving to the Lord and Lady Harrington in golden and gilt plate to the value of 2000*l.* ; to their servants 400*l.* ; to all the women about the Lady Elizabeth 100*l.* apiece, and a medalia with his picture ; to two waiters so much, and to her chief gentleman usher a chain of 150*l.* ; to Mrs. Dudley a chain of pearls and diamonds of 500*l.* ; to the Prince a rapier and pair of spurs set with diamonds ; to the King a bottle of one entire agate, containing two quarts, esteemed a very rare and rich jewel ; to the Queen a very fair cup of agate and a jewel ; and lastly to his mistress, a rich chain of diamonds, two very rich pendant diamonds for her ears, and above all, two pearls, for bigness, fashion, and beauty, esteemed the fairest that are to be found in Christendom ; insomuch that the jewels bestowed only on her are valued by men of skill above 35,000*l.* He was purposed to show the like bounty to the King and Queen's servants and officers, but the King directly forbad it."

The marriage was celebrated on February 14, 1693, and for magnificence exceeded anything remembered. Sir John Finnett, master of the ceremonies, enjoyed himself vastly, and has left a narrative describing the grand event. "The bravery and richese of that day," he says, "were incomparable ; gold and silver laid upon lords', ladies', and gentlemen's backs, was the poorest burthen : pearls and costly embroideries being the commonest wear. The King's and Queen's and Prince's jewels only were valued that day by his Majesty himself at nine hundred thousand pounds



## The Favourite Controls Court and Country 105

sterling." Altogether the marriage of his daughter must have cost James nearly a hundred thousand pounds. The following are the items set down by the Treasury accountants :

For the Palsgrave's diet at his standing house . . .	£6000
For his diet at his instalment of the garter . . .	4000
For diet at his marriage . . . . .	2000
For lodging for his servant . . . . .	830
To the Wardrobe for apparel for the Princess Elizabeth . . . . .	6252
For furnishing her chamber . . . . .	3023
Apparel and necessities for her to my Lord Harrington's . . . . .	1829
Jewels and apparels for her servants . . . . .	3914
For divers merchants for silk, etc. . . . .	995
The Lords' Mask at her marriage . . . . .	400
For the naval work of fireworks on the Thames at her marriage . . . . .	4800
More fireworks on the Thames at her marriage . . . . .	2880
To Sir Edward Cecil as Treasurer, for her journey from hence to Heidelbergh, and for her purse . . . . .	2000
For settling her jointure, and charges to some of the gentry to go thither, and to take the assurance . . . . .	800
The charges of her journey . . . . .	8000
For her transport to Flushing . . . . .	5555
Paid over to the Palsgrave's agent for her portion . . . . .	40,000
Total . . . . .	£93,278

Enormous sums of money were spent on personal adornment by the courtiers and their ladies. Lady Welton had a gown that cost fifty pounds a yard for the embroidery. Lord Montacute, in spite of paying great fines for being a "recusant," gave fifteen hundred pounds to his daughters for their apparel. But, above all, the King's Favourite, Viscount Rochester, and Lord Hay, who was, *par excellence*, the *beau* of his age, Lord Dingwall, and Lord Dorset, dazzled the eyes of all who saw the splendour of their dress, so that one gentleman present cried out that "this extreme cost and riches makes us all poor."<sup>1</sup>

<sup>1</sup> Chamberlain to Mrs. Carleton, "Court and Times."

The beauty of Princess Elizabeth attracted the eyes of all spectators, many of whom wrote their impressions of the marriage ceremony. The bride was in a snow-white dress, the emblem of innocence, and her hair was uncoiled, falling in ripples of gold. On her head was a golden crown set with pearls and diamonds, and twelve maidens in white and spangled with jewels held up her train, so that her progress, it is said, was "like the milky way." On the passage to the Chapel Royal she was accompanied by two noble bachelors, Prince Charles her brother, and the old fox, the Earl of Northampton. On her return two married noblemen took their places, Ludovic Stuart, Duke of Lennox, and Charles Howard, Earl of Nottingham, Lord High Admiral of England. Abbot, the Archbishop of Canterbury, performed the marriage ceremony.

The Prince Palatine and his young wife paid their final farewell to the King and Queen at the English Court at Carr's castle at Rochester, where the Favourite gave them a sumptuous entertainment. Thence the young English Princess, who had been adored by many gallant gentlemen, and whose beauty had inspired Sir Henry Wotton with his elegant poem, "You meaner beauties of the night," which is still well known, sailed away from the country she loved so dearly and was not to see again for forty-eight years. Little did the poor girl guess then what troubles and agonies lay before her. Not one among the gentlemen who waved farewell to her as she stood on the deck of the Royal vessel, flying the Lord Admiral's flag, guessed that before many years had passed this lady and her husband would be flying from the armies of Austria and Spain, having lost their crown and country.

The King and Queen returned, with Viscount Rochester, to his castle, and after the long period of feasting and pageantry and masks, the Court must have been glad of a little peace and rest.

Rochester himself was now at the zenith of his fortune and power, and with Overbury, his secretary, controlled the policy of the country, and was admitted to all the

secrets of State. By a nod he could raise men to high offices, by a frown he could cast them down. He stood at the King's side, a handsome, careless figure, to whom all others gave flattery and homage.

"Now all addresses are made to him," says Arthur Wilson; "he is the Favourite in Ordinary; no Suit or Reward, but comes by him; his Hand distributes, and his Hand restrains; our Supreme Power [the King] works by second Causes; the Lords themselves can scarce have a smile without him."

But at this very time Robert Carr was working industriously for his own ruin. While he appeared to the world as the master of his fate, he was in private life the slave of one woman, and all the honour that he gained from the King's affection and bounty was to be turned to dishonour by this entanglement with a girl whose beauty hid an evil nature. Careless and frank as Carr seemed, ready to do any of his friends a good service, and not going out of his way to make enemies, he was secretly the victim of an intrigue which put its coils about him. He kept it hidden from all his friends but one, and that was Overbury. And it was this one friend to whom he confessed who afterwards became his most dangerous enemy.

## CHAPTER VI

### MY LORD OF ROCHESTER IS BEWITCHED

WHEN Lady Frances, having worn down her husband's patience, prevailed upon him to return to Court, she at once resumed all her tricks to entrap the Favourite, who was now so high in power. His friendship with her great-uncle, the Earl of Northampton, gave her the opportunity she wanted to meet the man she loved. According to one writer,<sup>1</sup> it was at a supper in the Earl's house that she had first met Robert Carr, though others say that it was at Prince Henry's. Be this as it may, it is certain that Northumberland House was now a convenient rendezvous for the lovers. And here "they at their pleasure appointed meetings for further discourses."

How soon Northampton knew the secret of the love-affair is uncertain. It is probable that amidst all the great company at his table he did not observe the whispered words between the young Scot, whom he flattered with his friendship, and his beautiful young niece. Later, we know that he took an active part in a plot against the Lord of Essex, and in the dark business with which it was mixed up ; but it seems clear that in the early stages he did not connive at the intimacy between Rochester and his mistress, because they were careful to meet in places outside the circle of the Court, and in low houses where people of their rank did not usually consort. But

<sup>1</sup> "Truth Brought to Light."



what gives one more perplexity is the fact vouched for by many contemporary writers, and borne out by sworn evidence in the "State Trials" that at first Rochester himself was by no means an eager lover of whose affections the lady was quite sure. We have seen how at Chartley Lady Frances wrote imploring letters to Forman, the quack doctor and astrologer, imploring him to use all his arts to fasten Rochester's love upon her. She now resumed her connection with that impostor and with Mrs. Turner, and bribed them by heavy payments to bewitch both the Favourite and her husband. The details of these experiments are the most extraordinary in the annals of crime.

Lady Essex made frequent visits to Forman's house at Lambeth, and here, in the back-parlour, the astrologer and the young woman whose beauty was famous took part in the ceremonies and mysteries of the Black Art. The astrologer called upon the Powers of Evil to help him, and uttered spells and incantations which he had learnt during his travels. Many strange documents were written by him and recited to the lady, who sat with a white face and burning eyes listening to unknown words, which she believed would aid her in her desires and would, she must have believed also—according to the faith of the time—make her soul a slave for ever to the devil and his legions.

Among these enchantments were some "written on parchment," wherein were contained all the names of the blessed Trinity mentioned in the Scriptures; and in another parchment + B + C + D + E, and in a third, likewise on parchment, were written all the names of the Holy Trinity, as also a figure, in which was written the word Corpus; and upon the parchment was fastened a little piece of the skin of a man. In some of these parchments were the devil's particular names who were conjured to torment the Lord Somerset<sup>1</sup> and Sir Arthur Mainwaring, if their loves should not continue, the one to the Countess, the other to Mrs. Turner.<sup>2</sup>

<sup>1</sup> Then Viscount Rochester.

<sup>2</sup> These documents were produced in court.

That a lady born to high rank, and brought up in all the refinements of wealth, could have assisted at such blasphemies would be incredible but for evidence that cannot be denied. It would perhaps be unfair to say that it is a revelation of the moral tone of the Court in the reign of the first James, because, undoubtedly, there were many men and women living decorous and virtuous lives. But it is a revelation of what cesspools of vice existed in hidden places underneath all the luxury and outward magnificence of high society in London at this time, and it shows also what base and frightful superstitions still held sway over English minds. It must not be forgotten that in this reign many so-called witches were burnt alive or tortured to death. Lady Essex was perhaps one of few women of her own rank who actually endeavoured to make use of the Black Art to accomplish her evil purposes, but she was not alone in thinking that such horrors were possible. There was indeed a universal belief in the forecasts of astrology, in crystal-gazing, and in amulets and charms ; and people who had renounced the old Catholic faith still crossed themselves to avoid the influence of the Evil Eye.

It is impossible to realise the life of the age in which this story was enacted unless one bears in mind that men and women lived then with a deep consciousness of the spiritual forces around them. It seemed to them that they walked amidst unseen presences, and that the spirits of good and evil were constantly in conflict for the salvation or the destruction of their souls and bodies. Those who were uplifted by a pure spiritual faith placed their trust in God, and put away from them the fear of that fiend who went about like a roaring lion, seeking whom he could devour. But those who had no such faith, or who by their own sin believed they had forfeited the mercy of God, walked in terror, or deliberately sold themselves, as they thought, to the Evil One.

The Lady Frances was one of these. Tortured by a guilty passion, and without any religion to give her con-

solation, she went to the agents of evil for help and service, and in that company she did things which can hardly be written down.

In addition to the documents which have been described, Forman, the astrologer and wizard, prepared other instruments to bewitch the Favourite and Lord Essex. He modelled pictures and figures in wax, representing the three principal people in this affair. There was "one picture in wax, very sumptuously apparelled in silks and satins, as also one other sitting, in form of a naked woman, spreading and laying forth her hair in a looking-glass." There were also leaden figures representing Rochester and Lady Essex making love to each other, and the brass cast in which they were made was afterwards discovered. Another object which played a part in these magic practices was "a black scarf full of white crosses."

In order to "enchant the Viscount's affection towards the Countess," we are told by a contemporary writer "much time is spent, many waies of witchcraft used, great cost in making pictures of wax, crosses of silver, little baubles for that use ; yet all to small purpose."<sup>1</sup>

Naturally all these experiments in magic did not in the least affect either my lord of Rochester or my lord of Essex, who both went their ways, utterly unconscious of the means which were being practised to inflame the one and wither the other. But Dr. Forman, still being paid handsomely by his dupe, concocted new charms to produce the effects desired. "Now the old Master goes," we are told, "and enchants a nutmeg and a letter, one to be given the Viscount in his drink, the other to be sent to him as a present."

But this was his last attempt, for the infamous scoundrel was struck down by that executioner whom he had so often, if we may believe his contemporaries, supplied with victims. Death robbed Lady Essex of her "sweet father."

The way in which he died was in keeping with his life.

<sup>1</sup> "Truth Brought to Light."

"I have been informed by a certain author," says Anthony Wood, "that the Sunday night before Dr. Forman died, he, the said Forman, and his wife being at supper in their garden-house, she told him in a pleasant humour that she had been informed that he could resolve whether man or wife should die first, and asked him, 'whether I shall bury you or no?' 'Oh!' said he, 'you shall bury me, but thou wilt much repent it.' Then said she, 'How long will that be?'—to which he made answer, 'I shall die before next Thursday night be over.' The next day, being Monday, all was well; Tuesday came, and he was not sick; Wednesday came, and still he was well; and then his impertinent wife did twit him in the teeth with what he had said on Sunday. Thursday came, and, dinner being ended, he was well, went down to the water-side, and took a pair of oars to go to some buildings he was in hand with at Paddle Dock; and being in the middle of the Thames, he presently fell down, and once said, 'An impost! an impost!' and so died; *whereupon a most sad storm of wind immediately followed.*"

Lilly, the famous astrologer, gives an account of the arch-impostor, and says that he was extremely kind to the poor. In one of his books, which were afterwards seized by order of the judges, the following entry was found: "This I made the devil write with his own hands, in Lambeth Fields, 1596." It is probable that he was the victim of his own imagination, and that he really believed he had intercourse with evil spirits, and could compel them to do his bidding. Modern spiritualists indeed would declare that he was one of the initiates in the science of spiritualism, and possessed that knowledge of table-rapping, slate-writing, and other mediumistic lore which is still familiar to those who attend *séances* in West-End drawing-rooms. If that be so, it bears out the reasonable theory of the opponents of spiritualism that it is only a disguised form of devil-worship.

Unfortunately for the Countess of Essex and Robert Carr, Mrs. Forman, the wife of this charlatan, kept her





From a contemporary print.

LONDON IN THE REIGN OF JAMES I., SHOWING THE PALACES IN THE STRAND AND OLD ST. PAUL'S.

p. 112.



husband's letters, images, and incantations locked up in a box in his study, and the time came when they were to be damning evidence against the lady and her lover.

Forman's death was a cause of new torture to Lady Essex, who believed that the "Master" had been taken too soon to accomplish his work of enchantment. Mrs. Turner too had lost her chief confederate in the plot to extract money from the wealthy victim in their hands. There is no doubt that she was the man's accomplice instead of his dupe.

The story of Sir Arthur Mainwaring was probably part of the plot, to give confidence to the other woman. Mrs. Forman deposed that "Mrs. Turner and her husband" [*i.e.* Mrs. Forman's husband] "would be sometimes three or four hours locked up in his study together."<sup>1</sup> These conferences were, no doubt, to arrange further means of victimising Lady Frances, and keeping her patient, in spite of the unaltered constitution of Lord Essex and the backwardness of Rochester.

But now upon his death, and in danger of being deprived of her most fruitful source of income, Mrs. Turner had to search about for new allies in this conspiracy, some man of the profession and character of Forman himself. He was not difficult to discover. Such men lurked in many side alleys round Paul's Churchyard, and in places not a thousand miles from the Court. According to Mrs. Turner's own confession, a certain Dr. Savories was used in succession after Forman, "and practised many sorceries upon the Earl of Essex's person."<sup>1</sup> There was also a man named Gresham, who was "nominated to be entertained in the businesse, and in processe of time was wholly interested in it."<sup>2</sup> He was supposed to have had a hand in the Gunpowder Plot, for in an Almanack which he published giving prophecies of coming events, he hit the mark so closely regarding the conspiracy against the King's life that it was suspected to be something more than a coincidence, and, by the sceptical, not supernatural in its

<sup>1</sup> "State Trials." <sup>2</sup> "Truth Brought to Light."

inspiration. "But without all question," we are told, "he was a very skilfull man in the Mathematicks, and in his latter time in Witchcraft, as was suspected, and therefore the fitter to be employed in those practises, which as they were devillish, so the Devill had a hand in them."

This man renewed all those blasphemous fooleries by which Dr. Forman had gained a hold upon the morbid imagination of Lady Essex, and Mrs. Turner, who had introduced him, received her commission. But it was Forman after all who, according to general belief, and to the passionate joy of his "daughter Frances," succeeded in putting the spell upon Viscount Rochester. The precious nutmeg, and the enchanted letters which, before his death, he had sent to the Favourite seem to have worked wonders.

The Countess wrote to him congratulating him on his high promotions, and with this letter enclosed Dr. Forman's enchanted epistle. What possibly could have been in this is a puzzle to the imagination. If any guess may be hazarded it was a plain statement to the Viscount that a certain beautiful lady was pining away with love for him. However, we are told that upon receiving it "hee reads it, and the more he reads it, the more he is entangled, for no man knows the mysteries that are contained in evill Arts, and who can withstand the mischiefs that are in evill tongues?"

Whatever may have been the cause of the alteration in Rochester's behaviour, it is certain that from this time he was completely bewitched, if not by spells and incantations, at least by the bright, burning eyes and the enticing beauty of the girl who had so long sighed for his love, and done desperate and devilish things to obtain it. No longer backward in meeting her advances, he allowed himself to become completely entangled, so that never again could he shake himself free from this witch-woman who fastened her arms around his neck.

In a very curious and quaint passage in "Truth Brought to Light," which deserves to be quoted, the author says that Rochester, having answered the letter—



"New places of meeting were arranged ; amongst the rest one at Hammersmith " [where Mrs. Turner lived] ; "in the meantime the Viscount makes dispatch of businesse, leaves things halfe done, halfe undone, to the intent that he might meet her, who had there staid for his coming above two houres, and, being met, they solemnly saluted each other, fell into divers discourses, and insinuating phrases. . . . The Countess having obtained that she desired, and the Viscount caught in the net of adulation, the more he striveth to be loose is caught the faster. . . . Places of more frequent and private meetings were concluded upon between them ; persons fitting for this purpose being acquainted with their proceedings, watchwords are given, all things having relation to a certain end make them the bolder, and more safely to accomplish that which both time and money cannot demonstrate in former Histories.

" How these good parts, which seemed heretofore to be hopeful in the Viscount, consume to cinders, and the corruption remains to brand him in the forehead for his evill living ; his modesty becomes eclipsed, his behaviour light, his carriage unseemly ; in his place nothing so costly, no attire so uncouth, but at all costs and charges hee obtaines it for the encrease of favour ; new fashions were produced, that so hee might shew more beautifull and faire, and that his favour and personage might be made manifest to the world ; and for this purpose yellow bands, dusted haire, curled, crisped, frisled, slicked skins, opened breasts beyond accustomed modesty, with many other inordinate attires were worn on both sides, to the shew of the world, so that for the encrease of dishonest appetites they were abundantly practised ; surfeiting thus upon pleasure, having been before accustomed unto hardinesse, causeth him to fall into all manner of forgetfulnesse, letting all things goe to wreck, carelesse in attendance, neglecting State-affairs, ignorant of his own worth, subjecting himselfe to the lustful appetite of an evill woman, accounting no time well spent, nor hour deemed so happy, as when dalliance and pleasant discourses passe between them, either in words or writings. . . . These

things laid him open to the evill affections of them that hated him, and laies the foundation of his utter subversion, since the eyes of all men are upon such as are eminent; and as black upon white is soonest discerned, so evill conditions and lascivious are soonest discerned in such persons."

This interesting passage is not to be taken too literally, for it is written in a retrospective mood, when Rochester and Lady Frances had been found out and punished for their sin, and it crowds into a brief space events and sentiments that were gradual in their evolution. The truth is that Carr's love for the Countess was known only to a very few, and unsuspected even by the lynx-eyed courtiers. It is impossible to believe, for instance, that such a close observer as John Chamberlain, who wrote the gossip of the Court regularly to his friend Sir Dudley Carleton, should have omitted all mention of a scandal that, if known, would have set every tongue wagging and all ears burning with the news. Also it is notable, as we shall see later, that when the love between the Favourite and the lady was published to the world (though not the secret details hidden in the bosom of the Countess herself) there was not that general denunciation alluded to by the moralising writer whose remarks have just been quoted. On the contrary, it received the blessing of the King and the support of the most exalted families in England, and Carr's reputation, or at least his power, was never so great as when his love-affair received the congratulations of all his flatterers.

On the other hand, there is other evidence to prove the truth of the assertion that Rochester neglected the business of State for "dalliance" with Lady Frances. Unlike the Favourite who succeeded him, he was but little of a politician, and although he was invested with great power, owing to the King's friendship, he did not trouble to exercise it in any strenuous schemes of foreign or domestic policy. So far as he interfered at all he was a tool in the hands of such men as the Earls of Northampton and Suffolk, and played up the Spanish alliance, but otherwise he was

contented with Court patronage, and shirked as far as possible the duties of a responsible statesman, leaving all drudgery and detail to Overbury. By nature and training a courtier, loving the clamour and adulation of flatterers and parasites, proud of his personal beauty and of his supreme influence with the Fountain of all honour, as James was called in the language of the time, he was most in his element when he was attending a Royal progress, or superintending a costly masque, or walking in the magnificence of his dress and jewels in some public pageant, where men and women whispered as he passed, and broke into noisy admiration and excitement before he was out of earshot.

We may believe the author of "Truth Brought to Light" that among men of fashion Robert Carr was pre-eminent, and that he introduced many of the extravagant fashions favoured by the French, and was most prodigal in the adornment of his body with all that gold lace and starched frills and precious gems which made the Court of James so sumptuous in spite of much real squalor. Affable and generous, not by nature an intriguer or double-dealer, it is certain that Robert Carr was liked by many of the courtiers with a sincerity which, of course, they exaggerated by the grossest flattery. The Queen's party was always against him because of his enmity to the late Prince Henry. Pembroke, Winwood, Sir Thomas Lake, and others who disliked the correspondence with Spain, hated him for that, as well as being filled with envy for his position next to the King. The "parliament-men," too, did not forget his influence with James in their struggle against the tyranny of the Crown, and hated him for being one of those Scotsmen who drained the country of its wealth. Then the Puritans were disgusted with him, not only because, as the Spanish Ambassador said, "he was no persecutor of Catholics," but because, as the most brilliant and extravagant figure at Court, and a man raised from insignificance to sit at the right hand of the King's majesty, he was the most outstanding example of the luxury which made them

compare London, not altogether unjustly, to Babylon and the ancient cities of sin. So Carr had many enemies, but in spite of them all, his careless amiability and a certain simplicity of manner, won for him a good deal of genuine admiration and popularity, which is echoed in the writings of those who, after his downfall, summed up his character and career.

It is necessary to bear these things in mind, because the loathsome character of the woman with whom he allied his fate has cast the deepest shadows upon him, so that the most impartial mind is apt to paint him in blacker hue than is quite just. Any attempt to whitewash this man would be ludicrous and insane, because his faults were very great; but in this case it was certainly the woman who was the greater sinner and the man who paid the price.

There is, for instance, no evidence that Carr had any inkling of the horrid practices in which the young Countess of Essex had taken part in the back parlour of Forman's house, and with Mrs. Turner and her confederates. It is probable that the Lady Frances, who otherwise was shameless, had sufficient modesty left not to divulge to the man she loved what things had been done to gain his love and to blight the body and spirit of the husband she hated. She was, no doubt, a liar, careless of a venial sin when she had deliberately sinned most mortally, and one is inclined to believe that to Carr she appeared beautiful in mind as well as in body, and the innocent victim of a child-marriage into which she had been thrust unwillingly by ambitious and greedy parents. When she put her arms about his neck and smiled at him, he did not shrink back as though from a Medusa face in whose eyes there was death. To him she was an English rose, fair and fragrant, inviting him to pluck her beauty, which she denied to her husband, who had come home as a stranger to her. That, at least, is the story told in that old book "Truth Brought to Light," which was written when the memory of these things was still vivid and when some of the actors in the drama were still living.



Also, in the evidence of all those witnesses who were brought into court to tell all they knew on their oath, and with the fear of death before them, there is hardly a word which suggests that Carr, afterwards the Earl of Somerset, had any share in those practices of witchcraft against the health and life of the Lord Essex. The only words in all that evidence which may be caught hold of to prove the Favourite's knowledge of Lady Essex's attempts against her husband were spoken by a man whom Carr called a notable liar, and who lied anything in the hope of saving his wretched life. These words will be quoted at a later stage of the story, but here it is enough to say that the evidence of the other witnesses is sufficient to show that Carr was really ignorant of all those incantations and waxen effigies which afterwards were revealed to an astounded world.

Nevertheless, though we may clear him from those really devilish practices, Carr was deep in dishonour. He betrayed a man for whom he professed warm friendship—we are told that he corresponded with the young Earl of Essex in the most cordial way—and he was conscious of his own guilt when he shrunk from the crowded Court to those secret meetings with the daughter of the Howards.

Those meetings took place in Paternoster Row or Hammersmith, where Mrs. Turner had lodgings. But there is a significant note in a letter of the time which tells us that Lady Essex arranged another place where private meetings could be easily arranged without much fear of discovery. It is in a letter of that useful correspondent, Chamberlain, who, writing from London on August 11, 1612, says, "The Countess of Essex has bought Sir Roger Aston's house at Hounslow."<sup>1</sup>

Hounslow, ten miles west by south from London by road, was at that time a quiet and rather desolate village near the great Heath, which stretched for five miles and more along the road. It was an easy ride from Whitehall on a good horse, and Rochester could set out from the

<sup>1</sup> Domestic State Papers.

Court wrapped in his cloak and get there in an hour without meeting a suspicious friend or a still more curious enemy on the highway. It was also very close to Hammersmith, and therefore convenient to Mrs. Turner, the go-between in this secret love-affair.

In spite of these arrangements, Rochester was so tied by the King—who did not like his Favourite to be long out of sight—that it was often necessary to arrange for messages to be delivered to the lady by some trusty friend, and for letters to be written and exchanged. The man chosen for these embassies and entrusted with the dangerous secret was Sir Thomas Overbury. As we have seen, and according to his own statement, it was he who wrote the first love-letters from Carr to Lady Essex, and he now went frequently to Hammersmith or Paternoster Row to Mrs. Turner's lodgings, where he saw the woman who had bewitched his patron. At first he had gone lightly into the adventure, as one of those amorous escapades in which a man of wit and fancy like himself could find a little amusement on behalf of a friend. But presently, as it became clear to him that this jest was being carried too far, and that Carr was sufficiently serious in the matter to endanger his reputation and power, he began to be afraid. Doubtless, also, he soon began to understand the character of the woman who had entangled his great friend. Carr himself was blinded by love, and believed her to be as guileless as she was beautiful. But Overbury, a shrewd, keen-witted man and untouched by the charms of Lady Essex, learnt how utterly vicious she was. "He loaths and hates what hee sees," we are told, "avoiding rather than intruding himselfe to the knowledge of it; neither meddles he any way or other in it, but lets them alone in their vitious courses and rather seems to be ignorant than to take any notice of it. Nevertheless, hee is imployed to carry letters to and again between them, some to Paternoster-row, some to Hammersmith, and others to other places, which were appointed between them, by which means, comparing both actions together, he entered into the secrets of this mystery,

and became acquainted with more things than the Viscount would had him, from whence a kind of Jealousie was carried toward him."

It was at this time that the relations between Sir Thomas Overbury and Viscount Rochester began to be strained. That was an inevitable result of their curious partnership. Overbury was too brilliant a man, and had too much individuality to play the part of ghost with more than a temporary patience. The time came when, having played behind the scenes for a living wage, which had been extremely useful in the days of his poverty and insignificance, he now wanted to take the centre of the stage and to get the applause of the public. He had tested his own abilities and had found that he was a better man than his master in knowledge and intellect, and that he had qualities lacking in many of those young men who had the picking of all the prizes at Court. It was natural that he should get fretful at the thought of Rochester having all the credit of work which he, Overbury, had done in secret. He began to wonder whether it was a fair scheme of things for Rochester to go out to play while he laboured, with only a pettifogging reward. It is true that he had his own little circle of flatterers who paid court to him as the great man's man. And he had also a following among men of wit and intellect, like Ben Jonson and those who dined at the Mermaid, who recognised him as one of themselves and paid him the tribute of their praises as a poet worthy of laurels and a man of letters, who deserved to be something better than the hanger-on of a Royal favourite. This popularity did not appease, but only inflamed his ambition. Handling State papers, admitted to the knowledge of State secrets, he knew too much, he thought, to be kept in Rochester's pay as a mere underling. He aspired to the Privy Council, being already privy to affairs discussed with only those nearest to the King. So gradually he threw off his disguise, and over the dinner-tables of his friends he boasted of his influence, and divulged the secret of his partnership with the Favourite. To Rochester

himself he was no longer the obsequious friend, eager to carry out his slightest wish, ever ready to act as a go-between in his private amours. There was a touch of the bully in him, and he made it clear to Carr, who had raised him up with his own fortunes, that he was no longer willing to be treated as a servant. There must be more equality between them, and this game of playing his ghost had lasted long enough. No doubt this was a gradual transformation, and it was not at once that Overbury challenged the authority of Carr and dared to thwart him. Ambitious as he was, and confident of himself, he was too shrewd to force the Favourite to a quarrel. But he thought he knew his man. He had found Carr a careless, even-tempered, weak fellow, and believed that he would not go out of his way to crush one who was necessary to his reputation and ease. He was therefore tempted to demand more recognition for his services, and it was with an arrogance startling to his friend and patron that he dropped the mask of servility. Nor was it to Rochester alone that he showed himself in a new light. There were other great men about the Court—Lord Pembroke, for one—who found themselves affronted by the insolence of a gentleman who had no great position in the State, and was only the parasite of a parasite.

Carr seems to have borne his friend's new assumption of authority with indifference and good-nature until Overbury touched him to the quick by disparaging Lady Frances and advising him, in no round-about phrases, to have done with this woman, whose character would not bear investigation. As we shall see later, it was to lead to a quarrel between the two former friends which had a deadly ending.

Carr was not to be advised against a woman who had now taken possession of his soul. Without all those witch-doctors and charm-mongers, she had put her coils about him, and this tall, stout-limbed fellow with the flaxen hair, who was still the master of the King's affections, and controlled the fortunes of all the courtiers, was a mere puppet



in the hands of this lady who, though a child in years, had the subtlety of the serpent. He was being dragged deep and deeper into the intrigue with her, and not all the Overburys in the world could hold him back from the quagmire into which he now walked with this woman's face before him, enticing him. She had now another vicious scheme, which consumed her spirit with a feverish desire. Elated by having gained the love of the man she had laid her traps for, and believing that it was due to the spells and potions of her accomplices, she was not content. Essex was still her husband, and the law kept her fast-bound to him. So far the doctors of magic had failed to make her free. But she could never be satisfied until she took her place in society as the wife of this other man, sharing his triumphs, courted by his flatterers, sharing his life of pleasure, and egging him on to greater heights of power. She must get free of Essex; by fair means or foul she must break those bonds which six years ago, when she was a child playing with dolls, fettered her to this boorish youth she hated. There were two ways. One was the way of those apothecaries who were in her pay. So far their drugs had not had much effect, but by increasing her payments she could increase the strength, until one drop would be enough to finish all things. But there was another way, less dangerous, though more difficult. It was possible that with her own family influence, and with the influence of her lover over the King, the law could be prevailed upon to untie that knot which bound her to Robin Devereux, Earl of Essex. She would try both ways, in case one should fail.

It is possible that the idea of getting a divorce between Lady Frances and her husband first occurred to Carr; for, judging from certain expressions in one of the girl's letters to Dr. Forman, it seems likely that she always persuaded Carr that she had never lived with Essex in the ordinary relations of man and wife, and that, though she had lived under his roof, he had not been her husband in anything more than name. If Carr believed her—and she seemed

to have bewitched him with an extraordinary belief in her innocence—he may have seized the idea of obtaining a divorce on the technical ground of “nullity.” If it could be proved that the lord of Essex had not fulfilled his marriage-vows, there was good law to show that the divorce could be obtained.

Whether the idea was first put forward by Carr or not, it is certain that he sounded the lady's family on the subject. He went to the Earl of Northampton, her great-uncle, who was now hand-and-glove with him. Northampton was gained over to the plan without difficulty. The Viscount was very useful to him with the King, and he knew that without his friendship he would be in a perilous position. If Rochester became his enemy, James might be induced to disgrace one who, as a Catholic, and therefore subject to penal laws, and as a pensioner of Spain, would be awkwardly placed if summoned before the Star-Chamber. The Earl therefore seized the opportunity of cementing his friendship with Carr, and of getting such a hold over him that he would never dare to oppose his policy or position. For it was quite clear to him now that the secret motive of this divorce was the Favourite's love for Lady Frances.

The first word of Carr on the subject must have let a flood of light upon his relations with the wife of Essex; and Thomas Howard, Earl of Northampton, was not a man who needed more than a word to see his way into the heart of an intrigue. It was he, and not Carr himself, who went to the Earl and Countess of Suffolk, the parents of Lady Essex, and discussed with them the possibility and advisability of procuring the divorce for her, and it was he who afterwards broached the matter to the King. The game was quite an easy one in its early stages. Although Carr himself kept in the background, his interest in the matter was revealed to the Suffolks and to James himself. The King, who always took a morbid interest in the domestic affairs of his courtiers, was persuaded that there would be no legal or divine impediment to the divorce of the unhappy Earl and Countess, and, for Carr's sake, it

seemed to him a desirable thing. The hostility of the great families to his young Favourite had long troubled him, but here was an opportunity of arranging a close alliance for him with the proudest and richest house in England.

As for the boy of Essex, the King was not much moved by pity. He was a foolish young gentleman without those gifts of gallantry and gaiety which appealed to James as the best qualities of a courtier. If it were true that he was unable to make this beautiful girl a happy wife, it was only right and just that she should be freed from his authority. So Northampton played artfully upon the affections of James for his Favourite, as well as upon his vanity as the Head of the Church which could loose and bind.

With the King on their side, it was not difficult to win over the Earl and Countess of Suffolk. They had no personal love for young Essex, and, though he had been an admirable match for their daughter from the point of view of wealth and rank, it was clearly to the family interests, and their daughter's happiness, to give their support to a scheme, sanctioned by the King, which would provide Lady Frances with another husband whose power and wealth were the envy of the Court.<sup>1</sup>

These conversations took place towards the end of the year 1612, and the first inkling to the Court that some trouble was brewing between the young Earl and Countess of Essex was the news that they were no longer living together, and that the lady was maintaining a separate household. Then it gradually leaked out that the Howard family were taking legal and spiritual advice on the question of a divorce for Lady Frances, and that the King, with some of his Privy Councillors, were turning up precedents, searching the Fathers of the Church for authority in such a case. In those days it was a question whether a wife might sue for a divorce or "not, for that the bill of divorcement was given to the husband and not to the

<sup>1</sup> "Truth Brought to Light"; Arthur Wilson; "State Trials," etc.

wife."<sup>1</sup> These and other difficulties of Civil and Canon Law provided James, who delighted in disentangling such problems, with a great deal of intellectual amusement and edification.

But in the meantime Lady Frances was growing impatient; and the public was suddenly startled by a confession, made before the officers of law, which put the very blackest suspicions upon a young lady whose beauty was universally admitted, but whose virtue was rather doubtful.

About the middle of February of 1613 a woman called Mary Woods, belonging to Stratton Strawless, near Norwich, but lately residing in London, was arrested for theft by Richard Grimstone, pursuivant. This man, upon being examined by the justices, and ordered to produce his evidence as to the woman's guilt, told a remarkable story, which introduced the name of a great lady. He was sent, he said, by the Countess of Essex after Mary Woods, to whom she had delivered a ring set with diamonds and some money, to take charge of when she (her ladyship) was going in haste to Court.<sup>2</sup>

This was a queer story. "Who is this woman?" asked the justices, "to whom the right noble Lady Frances had committed jewellery and gold when she was in a hurry?" Richard Grimstone, pursuivant, said that she described herself as a laundress.

The justices put their heads together, and a man named Davison, of Norwich, was produced as a witness to say that Mary Woods professed skill in palmistry, "deluding simple women, and threatening, if they prosecuted her, to accuse them of trying to poison their husbands."

Richard Grimstone, pursuivant, was re-examined. Questioned rather sharply, he declared that he did not persuade Mary Woods to call herself a laundress; but confessed that if she would have returned him the goods which Lady Essex sent him to reclaim, he would have let her alone, though he knew that there was a Lord Chief Justice's warrant against her for other thefts.

<sup>1</sup> "Truth Brought to Light."

<sup>2</sup> Domestic State Papers.



A note was taken of his evidence by Mr. Grimstone. As an officer of law he did his duty rather strangely. Then Mary Woods was called, and she told a tale, very bluntly, which caused a great stir. She had, she said, received a goblet and a diamond from Mrs. Clare, and a ring from Lady Essex, with the promise of one thousand pounds if she would procure some poison to kill the Earl of Essex, that should not act within three or four days. She repented afterwards, would not get the poison, and left London.

These were scandalous words to hear in a Suffolk courthouse. Such an accusation against a noble lady would set many evil tongues wagging. No doubt it was the foul lie of a woman who was noted as a common blackmailer, yet the inquiry must go on according to the law. Again Grimstone was examined. Had he heard anything of the tale?

The man, under pressure, admitted that when the woman refused to give up the goods, and when told that she must go before the justice, she said she would declare that she had them given her to induce her to poison the Earl of Essex.

This was a serious business, and the justices were much perplexed. It was certainly curious that Lady Essex should have given her a precious ring and money. That story of being "in a haste to get to Court" was not plausible; and the fact that the lady was not living with her husband, and was about to sue for a divorce against him, seemed to suggest that there was a terrible truth in the repeated assertions of the accused woman.

Poison was a dreadful word. The fear of poison haunted all classes of society at this time. It made men tremble when they sat down to dinner, and they suspected the food put before them on their own table. God alone knew what secret enemy was employing evil creatures like the woman Mary Woods, who dealt in drugs and philtres to revenge a spite or remove a rival. Undoubtedly, high rank and wealth were not guarantees of innocence in days

when, as it was commonly reported, the Court was infested with poisoners, and the most deadly intrigues were plotted in the very Chambers of Whitehall. Was not Prince Henry's death mysterious? Were there not many noble gentlemen who fell into strange sicknesses utterly perplexing to their physicians?

On the other hand, no definite evidence could be produced against the Countess of Essex. It would go badly with any justice of the peace who should endeavour to fasten such suspicions upon the daughter of the Lord Chamberlain and the niece of the Lord Privy Seal. The notorious bad character of her accuser was not favourable to the sworn evidence. She had been in the hands of the law before, and deserved to be burned as a witch. On June 6, of the last year, she had been examined on a charge of administering deadly drugs. She vowed then that she was sent for by Mrs. Suckling, to tell her when her husband should die, and was offered a large reward if she would poison him, which she refused to do.<sup>1</sup>

In December of that year Christopher Marshall, a draper of Norwich, had given evidence of the woman's practices to poison her own husband, or be divorced from him. "She professes to have a familiar spirit," he said. There were others who provided evidence of her evil ways. Peter Walker's wife said that money had been obtained from her by "cunning Mary," alias Mary Woods, on pretence of saving her from death by witchcraft. Mary Lunne, of Oxford, said that Mary Woods and her husband slept at her house, and stole some articles of dress and a brass pot; and Katherine Mason confessed that she had "received in person the before-named goods stolen by Mary Woods."

On the word of such a notorious baggage it would be impossible to bring any charge against Lady Essex herself and word came from high quarters that the matter was to be kept quiet. The woman was therefore kept on remand for some months, until the case was forgotten by the

<sup>1</sup> Domestic State Papers.

public, though she was quietly examined from time to time, and fresh witnesses were summoned. Thus on May 15 Isabel, wife of William Peel, was interrogated on the practices of Mary Woods to procure money from her and others on pretence of giving them husbands or children. *She knew nothing*, she declared, *of an attempt of Lady Essex to get poison to kill her husband.*

After another examination on June 15, there is no further record of "cunning Mary." Undoubtedly the whole business was hushed up for the sake of the high-born lady whose name was being scandalously introduced, and it is probable that Mary Woods was quietly set at liberty, until the days when the witchfinders could put their hands upon her and make a bonfire of her body in the market-place of Norwich.

This ugly affair caused a temporary check in the proceedings for divorce, as we learn from a letter by John Chamberlain. "Lady Essex," he says, "is accused by a wise woman of a design to poison her husband, wherefore her friends have dropped the idea of suing for a divorce."<sup>1</sup> This, however, was an exaggeration, for it was only a passing scare, and the parties involved in the love-affair of Viscount Rochester and Lady Essex were very active. It was indeed in the month of April 1613 that a new and striking development took place, and began a tale of tragedy and crime which has now to be narrated.

The preceding facts, however, apart from their bearing upon the actors in this drama, have some importance in the social history of England. For all these stories of charms, and incantations, and love-philtres, and poisonings, are an extraordinary revelation of the moral tone of society in the reign of the first Stuart, and of the dark fears and superstitions with which all classes were haunted. They were signs of the decadence which had corrupted the nation after that extraordinary elevation of the national spirit when the glamour of the Renaissance had first excited the imagination of the intellectual classes, and

<sup>1</sup> Domestic State Papers.

when the people as a whole had been uplifted to a new sense of patriotism and power. The Reformation, in spite of all its tragedies and terrors, had in its first stages given a great impulse to faith. There were many martyrs on both sides. The Catholics died for their old religion, and many who had been lax before their faith was threatened, became fervent when to acknowledge themselves Catholics they braved the loss of liberty, of fortune, or of life.

The Puritans also at their best were inspired by what they believed to be a purer faith, and their fanaticism and stern revolt against the joys of life were the effects of intensity of conviction. They, also, were ready to go to Tyburn or to Smithfield, praising God. But in the latter part of Henry VIII.'s reign, when the Reformation in England became commercial rather than religious, and when the sacking of the monasteries was the means of plunder to the King and a host of rapacious scoundrels, the first seeds of corruption were sown, until, as we have seen, in the reign of James the persecution of Catholics was openly acknowledged to be the most profitable means of enriching the Treasury. But there were other forces which undermined the moral tone of the people. The New Learning had come at first as a revelation of light and beauty to English scholars and gentlemen. Such men as Colet, and Moore, and Archbishop Warham studied the classics with joy, and were broadened spiritually and intellectually.

The influence of the Greek and Latin poets was a wonderful stimulus to the imagination, and poets and prose writers steeped themselves in the old mythology which came by way of Italy and France. But after three generations of the classical study and of an intellectual liberty which broke down the old traditions of faith and philosophy, the spiritual and imaginative impulses of the Renaissance were exhausted, and gave way to unbridled licentiousness, and to a liberty which denied all moral law. All the vilest of the ancient authors were ransacked for filth, and the French and Italian poets, who drew their inspiration from



these sources, became utterly decadent. The effect on society was disastrous. Having lost the old simplicity of faith, men and women peered into forbidden places for that supernatural aid without which humanity cannot exist. The worst vices that have ever blackened the human heart surged up, and in Italy, where the Renaissance had its most rapid evolution and its earliest decadence, passion and devil-worship took the place of religion. It was in Italy where poisoning became a fine art, and where dark vices flourished most rankly. But England, more slowly, and at a later period, went through the same phases of social change. For centuries we had been islanders cut off to a great extent from communication with the rest of Europe. But in the sixteenth century the discovery of the New World thrilled the imagination of the English people and sent them out in ships across the great waters. We wrested the supremacy of the sea from Spain and Portugal, and England became the rendezvous of the world's trade. Then it became the fashion of English gentlemen to travel abroad and to visit those Courts which were most renowned for the glories of the Renaissance. They brought back French and Italian fashions, and French and Italian vices. As we have seen, such gentlemen as Sir James Hay and Sir Robert Carr learned the arts of luxury at the French Court. But before this many of them had come back from the Courts of the Medici and the Borgias. An Italianised Englishman was apt to be a fiend incarnate. A strong, healthy animal, he had been kept in check during the Middle Ages by the sweetness and the terrors of faith, and he had an outlet for his animal strength in hard fighting. But when, after the Armada, we enjoyed a long period of peace, and when, after the religious fervour of the Reformation, many gentlemen of the Court had abandoned all religion, the "Italianised Englishman" was without restraint. Too often he abandoned himself to the most sensual forms of luxury and to an immorality worse than the non-morality of the early Renaissance. The assassin and the poisoner became his instruments of revenge, and the apothecary

with his drugs and charms took the place of the priest. Superstition of the vilest kind was more terrible than the old superstitions of faith. Instead of the belief in the power of the saints' relics, and in the protection of the saints, which had been so scorned by the Puritan reformers, men and women now believed in the power of the Evil Eye and in the spells of witchcraft. Old women who had no other vice than ugliness, and young girls who had no witchery but the charms of bright eyes and gold-red hair, were burnt in the market places of England. The middle classes were steeped in the superstitions which led to these appalling cruelties, and as we have seen, there hung about the Court of James a swarm of quack doctors, astrologers, apothecaries, wise women, and poisonmongers, who pandered to the vices of wealthy men and women, and made profit out of their morbid imagination.

## CHAPTER VII

### VISCOUNT ROCHESTER GETS RID OF HIS GHOST

AS soon as the proposal for a divorce between the Earl and Countess of Essex came to the ears of Sir Thomas Overbury he was filled with a fierce indignation. It was clear to him that it was only a preliminary to the marriage of Robert Carr to the girl with whom the Favourite had, with Overbury's own assistance, been carrying on a guilty intrigue. He had always annoyed Carr, as we have seen, by hinting at the lady's frailty, and advising him to break with her. He now went to his patron repeatedly, and urged him with violent words to desist from a course of action which would certainly bring him to ruin.

One dramatic scene in this story is told by Sir Edward Coke, Lord Chief Justice of England.

One night at one o'clock a servant of Sir Thomas Overbury's, named Henry Payton, was waiting for his master in a chamber adjoining the gallery at Whitehall when the King's Favourite passed through and met Sir Thomas.

"How now," said Lord Rochester, "are you up yet?"

"Nay," said Sir Thomas bitterly, "what do you here at this time of night? Will you never leave the company of that base woman?"

Then they broke out into quarrelling, and presently the man Payton heard his master say:

"Well, my lord, if you do marry that filthy, base woman you will utterly ruin your honour and yourself;

you shall never do it by my advice or consent ; and if you do, you had best look to stand fast."

"My lord, bewitched with the love of the said Countess, and moved with Sir Thomas Overbury for so slighting her, answered : ' My own legs are straight and strong enough to bear me up, but, in faith, I will be even with you for this ' ; and so parted from him in a great rage."<sup>1</sup>

Overbury has been made a hero by those who imagine that the soul of a virtuous gentleman was shocked by the depravity of Lady Essex and the injustice of the divorce proceedings against her husband. After his death his virtue was lauded to the skies, and poets wrote sonnets and epitaphs in which his nobility was contrasted with the baseness of his patron. But as Sir Francis Bacon said, "the ballads must be mended for that point." That shrewd judge of human nature did not believe that Overbury was inspired by high motives in his opposition to the divorce. "The truth was," he said, "that Overbury, who (to speak plainly) had little that was solid for religion, or moral virtue, but was wholly possessed with ambition and vain-glory, was loth to have any partners in the favour of my lord of Somerset [Carr] ; and especially not any of the house of the Howards, against whom he had always professed hatred and opposition. And, my lords, that this is no sinister construction will appear to you when you shall hear *that Overbury made his brags that he had won him the love of the lady by his letters and industry* : so far was he from cares of conscience on this point. And certainly, my lords, howsoever the tragical misery of this poor gentleman, Overbury, might somewhat obliterate his faults, yet because we are not upon a point of civility, but to discover the face of truth before the face of justice (for that it is material in the true understanding of this cause), Overbury *was corrupt and nought*."

It is on the authority of Francis Bacon, among others,

<sup>1</sup> State Trials: Sir Edward Coke's address, and Payton's evidence.

<sup>2</sup> Bacon's speech for the prosecution, State Trials.





*A mans best fortune or his worst's a wife:  
Yet I, that knew nor marriage peace nor strife,  
Live by a good, by a bad one Lost my life.*

*A wife like her I writ, man scarce can wed:  
Of a false friend like mine, man scarce hath read.*

From a print in "Truth Brought to Light."

SIR THOMAS OVERBURY.

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that we know that Overbury, "being a man of an unbounded and impudent spirit," not only endeavoured to dissuade his patron by arguments, but to deter him by threats of divulging secrets of State. "*Supposing that he had my lord's head under his girdle,*" says Bacon, "he dealt violently with him, to make him desist, with menaces of discovery and the like."

But Overbury was not cautious enough to keep the quarrel between himself and the Viscount. He blabbed of what he knew, or, at least, some of what he knew, to his own table companions, and hinted dark things with "I could an if I would." For a man who knew the secret ways of revenge practised in the Court, and who had some knowledge of the character of the woman whose reputation he was damaging, it was extremely incautious and foolhardy. He went further than this. Being a poet, he turned to his pen, and wrote some ingenious verses which were generally believed to be a moral lesson intended for my Lady Frances. These verses were called "The Wife," and they conferred a literary immortality upon the author of them, and perhaps an earlier mortality of the flesh. This poem was entered at Stationers' Hall on December 13, 1613, and within a few years went into edition after edition. In spite of being filled with fantastic conceits, like most of Overbury's writings, and the coarse realism of his time, it reveals a good deal of wit, and contains some very pointed lines which must have been arrows in the heart of the Countess of Essex.

As soon as Lady Frances became aware that her lover's gentleman was determined to thwart the divorce, and that he was calling her evil names, her passionate heart was inflamed with a deadly rage against him. Viscount Rochester repeated to her those words spoken in the gallery of Whitehall. No doubt also some of her own friends and spies heard other phrases that fell from Overbury's incautious lips, and whispered them to her. We know what kind of woman she was when her evil instincts were roused. The thought that after all her cunning,

after all her payments to apothecaries and "wise women," she might be robbed of the man she desired as a husband maddened her. Robert Carr still believed her to be innocent and virtuous except in her love for him. But Overbury knew better; and if he went about talking scandal it might put poison into her lover's brain, and turn him from her. There was another danger. The King was pitiful towards her, and sanctioned the plea for divorce. But His Majesty, in spite of all his weakness, had deep religious convictions, which were not to be shaken. If he once was made aware that the lady was not so virtuous as her friends made out, and that so far from having suffered from Lord Essex's constitutional aversion to her she had persistently refused her husband's love, and schemed against his health and life, it was certain that James would at once quash the divorce proceedings, and punish her by public disgrace. Lady Frances knew that, and within sight of success she was filled with a panic fear that all might end in shame and failure. That Overbury should be the man to ruin her ambitions was intolerable. He had wormed his way into her secrets by professions of friendship. He had been trusted because he was Carr's "alter ego," his ghost and go-between. That he should now turn upon his patron and abuse the woman to whom he had, on Rochester's behalf, written love-letters was to Lady Frances a fact that sent the blood rushing to her head with venomous and deadly passion.

In her own mind she sentenced Overbury to death. And then, having already abandoned any scruple of conscience, she looked round for some bold fellow who would execute that secret sentence. She chose a gentleman named Sir David Woods, in attendance on Queen Anne. She remembered that he had a particular quarrel with Sir Thomas Overbury, and that Lord Rochester had also thwarted him in his suit for a place worth £2,200. Here was an opportunity for him to get revenge, a rich reward, and a most powerful patron. While the Viscount was



away with the King and Queen at Rochester, she invited the man to a private interview, and then fixing him with her bright gaze, which had the deadly glitter of a snake's eyes, she put her offer to him. She promised that if he would, by way of a duel, or otherwise, kill Sir Thomas Overbury, she would give him a thousand pounds, and "make his greatest enemy" [Rochester] "become his greatest friend." The knight was startled. The offer was attractive. A thousand pounds would be useful to a poor man, and Rochester's patronage would be worth still more. But his own life was precious, and this kind of bargain was apt to leak out.

"If my lord of Rochester," he said, "will give me his hand, or pass his word, that if I do this thing I shall escape and have his pardon, I will do it."

Upon these words Lady Essex paused, and then desired some time to give her answer. Late that night Sir David Woods, returning home in Sir Charles Wilmot's coach, saw his temptress again. And speaking of what he had asked about Lord Rochester, she said "that could not be, but promised all favour possible unto him and warranted him to go on, upon her life."

But Sir David Woods was not satisfied with this lady's answer. Upon reflection, and without Lord Rochester's promise, the idea did not appeal to him.

"I am willing," he said, "to bastinado Sir Thomas; but for killing him, I am loth to be carried to Tyburn for any lady's pleasure."<sup>1</sup>

In the meanwhile Overbury, ignorant of these designs upon him, continued his opposition to the divorce and to the marriage that would follow. His harsh words to Carr about the Countess of Essex were followed by more persuasive arguments, and from bullying he turned to pleading.

"Sir," he is reported to have said, "howsoever other things may passe either with small regard, or bee smothered

<sup>1</sup> Sir Symonds D'Ewes's "Autobiography," and Sir David Woods's evidence at the State Trial.

with honour and greatnesse; yet such things as lay a man open to publique and eminent contempt can hardly be obscured in a person publique and eminent (as your Lordship is), which things are often to be esteemed in a man that outwardly seemeth light and effeminate, or inwardly wanteth the ballance of government to poise externall actions. Of a truth, Sir (be it spoken without offence), the Court calls your modesty into question, and fears that those honours that should be hereditary to Noble persons will bee obscured with eminent evils, and blemished with levity and inconstancy."<sup>1</sup>

This priggish speech, with its polished phrases, has no doubt been touched up by the historian, and it is improbable that Overbury spoke those exact words; but doubtless they represent accurately enough the gist of many conversations which Overbury had with his patron. And we can well believe that such discourses "sounded something harshly in the Viscount's ears, as all good counsell becomes evill to them that are evill." His smouldering anger burst out at times against his Secretary, who was getting so intolerably fond of giving good advice; but being unwilling to break altogether with a man who had served him so well, and for whom no doubt he had entertained a genuine affection, he did not dissolve their partnership. According to more than one writer, it was Overbury himself who first decided to cut himself adrift. He is said to have told Rochester that he declined any longer to serve a man who, in spite of all his honours, rewards, and expectations, was determined to cast them all away on a woman "noted both for her impiety and immodesty," which would "pull upon him the hatred and evill contempt of great personages." He asked the Viscount to consider the person of whom he spoke, her behaviour since youth, her irreverent conversation, and all the dishonour that was now attendant on her. People were already wagging their tongues. They said it was unnatural for a man to make a wife of one who had been his mistress. It was a plain warning that she

<sup>1</sup> "Truth Brought to Light."

would treat her second husband as she had done her first. People already accused him of incivility, levity, and even effeminacy, judging him unworthy of the honours bestowed on him. If these surmises should be fulfilled by his marriage with a notorious woman, the evils that had been suspected would be exaggerated and laid to his charge. "Honour is not attended with voluptuousness, nor are the ruins of a rotten branch to be cherished upon a new-planted tree." Finally, according to this account, "the Viscount being a little nettled in his affection," and "fair and friendly speeches" having changed to words of anger, Overbury demanded the payment due to him, and told Rochester that he desired to be left to his own fortunes, as he could not endure such "inordinate jangles."<sup>1</sup>

It is most improbable that Overbury actually decided to leave the service of the Favourite, because he must have known that by doing so he would utterly ruin his hopes of advancement. Robert Carr was still supreme in the Court, and there was every prospect of the King continuing his affections towards him. It was therefore wholly to the disadvantage of Overbury to make an absolute breach with him; and it is more likely that his threats were uttered with the thought that Rochester dared not get rid of him, and he could speak plainly without forfeiting the goodwill of a man who had an easy and patient temper.

But Overbury reckoned without the lady. The Countess of Essex was determined to scotch this snake who crossed her path, and she gave her lover no peace about him. Concealing the deadliness of her hatred, she persuaded Rochester that she could not suffer such open insults as Overbury had put upon her, and that he was the only man who crossed her lover's purpose, and that as Rochester himself became more eminent, he would find this man stepping after him and becoming his rival.

She also went to her uncle, the Earl of Northampton, and begged him to use his influence to put down a man who, by insulting her, had affronted the whole Howard

"Truth Brought to Light."

family. Northampton needed but little persuasion. He knew well enough that Overbury was an enemy of the Howards, and he hated him for his arrogance and for his influence with the Favourite. In possession of many secrets that had passed between the Earl and the Viscount, Overbury was a dangerous fellow, who might bring them both to ruin.

The old Earl therefore went to Carr, and by artful words worked upon his vanity and jealousy. He wondered, he said, how the Viscount could be so much affected towards this fellow Overbury, so that he could do nothing without him, and made him his right hand. Depending wholly for his greatness on the King's favour, Rochester must expect his own ruin if that other man rose to preferment. Then he abused Overbury for his boldness and "peremptory sauciness" so that he actually dared to thwart and correct the Viscount because of his love for the Countess, and opposed many of his designs. "Unless you either curb his greatness or abate his pride," said my lord of Northampton, "he will in time be your equal in power and greatness." As for his own part, he added, with insincerity, "he knew himself to be clear of all offences against the State" [the truth being that he was up to his eyes in intrigue and a paid servant of Spain], and his family was so eminent in the Commonwealth that Overbury could not turn him. But Rochester's case was different. The man was privy to all the Viscount's secrets and designs, and was growing peremptory, "and no whit tractable to his disposition." Therefore if Rochester wished to hold his own, it was necessary and fitting for his safety to get that fellow out of the way.<sup>1</sup>

The conclusion of the Lord Privy Seal's advice was that Viscount Rochester should outwardly reconcile himself to Sir Thomas Overbury, and that some means should be used to send Sir Thomas to the Tower, after which they might at leisure advise what further course to take.<sup>2</sup>

<sup>1</sup> "Truth Brought to Light."

<sup>2</sup> Autobiography of Sir Symonds D'Ewes.



"Whereupon the Viscount, *being led by the nose*, as he thought for the best, gives consent, and endeavours to put in practice that which they had determined."

It is clear from all the accounts of the business that followed that Rochester was rather the dupe than the accomplice of Lady Essex and her friends. It is true that he played up to this game of getting Overbury into the Tower, and acted treacherously in that way to his former friend. But on the evidence it is probable that he only wished to get Overbury out of the way for a time. That was necessary. He was the one man, so Rochester believed, who knew the details of his intrigue with Lady Essex. Mrs. Turner knew, but she could be paid for silence; and Carr, at this time, certainly knew nothing whatever of all those apothecaries who had been practising against the young Earl. If Overbury went on talking so loudly it would be impossible to procure the divorce, for Churchmen and lawyers would never grant the plea of "nullity" to a lady who had been indulging in a very passionate love affair without her husband's knowledge. It was necessary therefore to remove the Knight until the divorce was accomplished. So far Carr was guilty, and his offence admits of no excuse. But as we shall see later, there is no absolute evidence to prove that he had a hand in the more deadly business that followed.

The scheme conceived in "the subtle head" of Lord Privy Seal was put on foot, and accomplished with great ingenuity. It happened that at that time the King was intending to send ambassadors to the Lower Countries and to France, and it was suggested to him that Sir Thomas Overbury was a fit and proper man for either of such missions. James entertained the idea willingly. He had no great liking for this young man. It had already been suggested in popular squibs that Rochester ruled the King and Overbury ruled Rochester, and that therefore, by all laws of logic, Overbury was greater than the King.<sup>1</sup> It would be a useful opportunity to remove a man who had

<sup>1</sup> Chamberlain to Carleton, Domestic State Papers.

acquired such an undeserved reputation, and to prove to the world that Sir Thomas Overbury was not so necessary to the Court. The fellow, too, was overbearing and arrogant, and detested by the great nobles, so that the King, who loved peace in his household, was frequently annoyed by complaints against him. Undoubtedly Sir Thomas was the right man for this embassy, which would keep him out of the country for some time.

At six o'clock on the evening of April 21, 1613, Lord Chancellor Ellesmere and Lord Pembroke (who, as we know, was one of Overbury's enemies) were employed by the King to speak to Sir Thomas, and to offer him either the embassy to the Low Countries, or to France, or to Muscovy, according to which he preferred. To the surprise of these great lords (or perhaps to their secret satisfaction), Overbury refused His Majesty's "gracious proposal." He protested that he was not capable of such an employment "for want of language," also on account of his ill-health, "being so exceedingly troubled with the spleen that if he had a long letter to write he was fain to give it over." In consequence of this it would be quite impossible for him to attend to any business such as would fall to him if he accepted this offer.

My Lord of Pembroke explained to Sir Thomas that His Majesty intended this for his good and preferment, and therefore he would be very ill-advised if he were to refuse.

Overbury was stubborn.

"I will not leave my country for any preferment in the world," he said.<sup>1</sup>

According to the correspondent who records this scene: "Some say he added *some other speech which was very ill-taken*, but what it should be I cannot yet learn."

The Lord Chancellor and the Earl of Pembroke returned with Overbury's answer to the King, who was naturally very angry with such an insolent and unexpected reply. Keeping the Chancellor with him, he sent Pembroke for

<sup>1</sup> Mr. Packer to Sir Ralph Winwood, in "Winwood's State Papers."

the Lords, who were then in Council; and when they came, wondering what the summons meant, James explained wrathfully that "*he could not obtain so much of a gentleman and one of his servants as to accept an honorable Employment from him.*" Having given vent to his anger, he gave them an order to send for this insolent Knight and commit him to the Tower.

The King's command was duly carried out, and there is still in existence the warrant of the Council to the Lieutenant of the Tower ordering him "to receive and keep close prisoner Sir Thos. Overbury, against whom the King is displeased for a matter of high contempt."

The greatest excitement was caused in the Court by the news of this arrest, and correspondents were kept busy writing to their friends.

Chamberlain, of course, does not miss this tit-bit, and in sending it to Carleton, says that "Some foreign embassy was pressed upon him, which he positively declined, saying *the King could not in law or justice compel him to leave his country.*"

All the gossips of the Court were wondering how this digrace of Overbury would affect the Favourite, and whether it was a sign that he also was losing his influence with the King. If he could not save his man, perhaps he would be lost himself.

Rochester had been ill, perhaps from the mental worry of this plot to overthrow his former friend, or perhaps, again, was feigning illness. Apparently he had not taken any active part as yet in the affair, because he had to be informed of the event after Sir Thomas Overbury was safely lodged in the Tower. "Now for my Lord of Rochester," writes one of the gentlemen present at Court, "who had but newly began to leave his Chamber, he knew nothing till all was done, and he [Overbury] gone, which your Lordship may imagine did much perplex him. But that evening my Lord of Pembroke and Sir Henry Neville were with him, and so were againe this morning; who have given him so good Advice, *that if he follows it, as I*

*hope he will, all will be well with him, and no hurt to his Friend."*<sup>1</sup>

The idea was so general that Overbury's imprisonment was a slight upon his great patron that the King, who heard of the suggestion, took the trouble to contradict it.

John Chamberlain writes to Sir Ralph Winwood: "Some say my lord Rochester took Sir Thomas Overbury's committing to Heart. Others talk as if it were a great diminution of his Favour and Credit, which the King doubting, would not have it so construed; but the next day told the Councill *that he meant him dayly more Grace and Favour, as should be seen in short time; and that he took more Delight and Comfortment in his Company and Conversation than in any Man's living.*"

From these accounts written by men in the Court at the time it might almost seem as if Rochester had really not taken any share in the plot against his friend's liberty. It is, for instance, curious to find Pembroke in the business, for he hated Rochester as much as, or more than, he did Overbury, and he was certainly acting without any ulterior motives to play into the hands of the Howards, who were also his enemies. But other contemporary writers are convinced that Carr was playing a very deep and subtle game, and that he actually dissuaded his former friend from accepting the King's proposal. They maintain that Overbury made his refusal very unwillingly, and that it was only because Rochester, "whom he called his precious chief," promised him better employment at home within a short time, and that if he were committed to prison for his refusal he would speedily procure his release.<sup>2</sup> Sir Francis Bacon also took this view: "In execution of this plot," he said, "it was concluded that he should be designed to some honourable employment in foreign parts, *and should, underhand by my lord of Somersett [then Viscount Rochester] be encouraged to refuse it.*"

Now we come into the centre of a crime which, although

<sup>1</sup> Packer to Winwood, in "Winwood's State Papers."

<sup>2</sup> Symonds D'Ewes; Wilson; "Truth Brought to Light," etc.



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it is told in many pages of the State Records, is still mysterious in many of its details. History until now has decided to bring in a verdict of guilty against Robert Carr, yet upon further examination of the full evidence there is at least a reasonable doubt as to whether he shared in the plot to remove Overbury, not only from the Court, but from the earth itself. Among the few witnesses who stood against him, some were such atrocious scoundrels and had such obvious reasons to swear falsely against him in the hope of getting a lighter sentence for themselves, that in a modern court of law their evidence would not be accepted without fuller consideration. There are, however, letters which still cast a black suspicion upon him, a suspicion increased by the plain and confessed guilt of the woman who afterwards became his wife, and it will be the duty of this narrative to put forward the facts on each side as plainly as possible, in order to get nearer, if we can, to the truth. But in the first place, before weighing the balance of evidence, the events must be given as they happened, and as they can be disentangled from contradictory accounts and circumstances still unexplained.

The first thing which is quite clear is that Lady Essex, having persuaded her lover and her family to remove Overbury from the Court, so that his revelations should not prejudice the proceedings for divorce, was quite determined that he should never leave the Tower alive. Apart from the danger that he might thwart her purpose to marry Carr, she could never forgive him for those vile names by which he had described her to her lover. Those words had settled his doom.

She went for advice in this matter to the woman who had been the most evil influence in her life. She paid a visit to Mrs. Turner at Hammersmith. With tears in her eyes she protested to this woman that she had never been so defamed in her life, and did not think that anybody but Overbury, "that negro," "that scum of men," "that devil incarnate," would have dared to be so saucy as to call her with an impudent face a base woman (and worse names)

to Rochester, her only hope. Mrs. Turner, "moved by pity," we are told, joined her tears with that of the young lady, and "there is such a storming between them as is incredible." We can imagine those two women, both of them ladies by birth (for Mrs. Turner was a well-born woman), both the victims of morbid hysteria, crying and weeping together as though they were the innocent victims of an unkind world. It is a scene not uncommon in criminal pathology. After they had fulfilled their "frantic humors" they decided that there was only one punishment for such a wretch. No submission, no intreaty, no persuasion could serve Overbury now ; but he must die.

Mrs. Turner soothes Lady Francis with an "Ay, that he should ; and it is pity that he should live to defame so honourable a Lady, so well descended, to the utter disparaging of her house, and that rather than he should pass with life, she would be his Death's man herself." <sup>1</sup>

Then coming to their senses a little after this outburst, the two women began to reflect that after all it was not an easy thing to kill a man, and that neither of them could do so without discovery. Then they cast about which was the best way to do it, and at last they concluded that poison was the easiest and indeed the only way. But here again they must get hold of some one who understood poisons, and who could be trusted. After the unfortunate affair of Mary Woods it was necessary to be more careful of whom they employed. A man named Gresham had, as we have seen, succeeded Dr. Forman in the practice against the Earl of Essex, but he also went the way of all flesh. Knowing his end was near, he gathered together all his spells and charms, all his letters, leaden images, wax figures, and other "baubles" and, wrapping them all up in a scarf, delivered them into the hands of a man named Weston to be buried in the earth. "So, in Thames-street, having finished his evil times he died, leaving behind him a man and a maid, one hanged for a witch, and the other for a thief very shortly after," <sup>1</sup>

<sup>1</sup> "Truth Brought to Light."



From an old print.

FRANCES, COUNTESS OF ESSEX,  
afterwards Countess of Somerset.

p. 146.





The man Weston had been an apothecary's assistant, formerly in the service of Mrs. Turner's husband. He had also carried letters and messages between Rochester and the Countess<sup>1</sup> and it was through him that the two women got into touch with another "doctor," who was reputed to be so skilled in his art of poisoning that he could make a drug which should be a month in working to a fatal end so that a man could be killed gradually without suspicion being roused. His name was Franklin, and he was a Yorkshireman "of a reasonable stature, crooked shouldred, of a swarthy complexion, and thought to be no less a witch than the two former, Forman and Gresham."

After many letters and entreaties had been sent to him, with the promise of large reward, he graciously condescended to assure Lady Essex that he would be very much at her service. It was decided between them that he should supply the poisons according to the most subtle and deadly prescriptions, and that Weston should be employed as the agent to administer them.

So far Rochester himself is not implicated in this plot of murder, but a change was now made in the command of the Tower, which casts the first suspicion upon him. The Lieutenant of the Tower when Sir Thomas Overbury was committed was Sir George Wade, and it is charged against Carr that he used his influence with the King to get this man removed, and to replace him with Sir Jervis Elways, who could be trusted to carry out the Favourite's orders. This was part of the charge against Robert Carr in Sir Francis Bacon's address. It is, however, a curious thing in Carr's favour, and not alluded to in his defence, that Sir William Wade had fallen under the King's displeasure for having allowed Seymour to escape from the Tower when he endeavoured to join Lady Arabella Stuart. There was also a more serious charge against him. Chamberlain, writing to Carleton, on May 13, says "Sir William Wade is discharged from the lieutenancy of the Tower on complaint of having embezzled jewels from the

<sup>1</sup> State Trials.

Lady Arabella. Sir Gervas Helwys<sup>1</sup> succeeds him."<sup>2</sup> His daughter was also imprisoned for complicity in this offence. It is clear, therefore, that Wade would have been removed from his post, apart altogether from the plot against Overbury, so that this event in the charge against Carr falls to the ground.

It was Lady Essex again who took the necessary steps to introduce Weston, the apothecary's assistant, into the Tower. If Rochester had placed Sir Jervis Elways into his new position as Lieutenant for the purpose of effecting the proposed murder (and it is certain that Elways owed his place to Carr), it is curious that he did not instruct him to appoint Weston. But so far from that being the case, Lady Essex arranged with another officer to employ Weston. She approached Sir Thomas Monson, who was Master of the Armoury, and asked him for a letter recommending the man to the Lieutenant as suitable to wait upon Sir Thomas Overbury during his imprisonment. Monson, eager to please a lady for whom, as he knew, the all-powerful Favourite had a great affection, immediately granted the request and wrote in the way desired to Sir Jervis. The new Lieutenant showed his prisoner the letter, and Overbury evidently desiring at this time to undo the effect of his words about Lady Essex, readily agreed to have Weston as his "keeper." He little knew the deadly intent of this stranger who now came to wait upon him in his lodgings in the Tower. "As when a man ignorantly treads upon a serpent is stung for his labour, so Sir Thomas harbours in his own breast his own destruction."<sup>3</sup>

Upon the very day that Weston was appointed as gaoler the Countess sent for him and promised him heavy rewards if he would give to Sir Thomas a water that should be delivered to him, which he was not to taste himself.

Dr. Franklin, apothecary and poisoner, had been very busy in the back parlour of his house in Doctor's Commons.

<sup>1</sup> This name is spelt in a variety of ways.

<sup>2</sup> Domestic State Papers.

<sup>3</sup> "Truth Brought to Light."

It was here that Mrs. Turner came to him and begged him to provide something "that would not kill a man instantly, but would be in his body for a certain time, wherewith he might languish away little by little." At the same time she gave him four angels with which he bought some *aquafortis*, and sent it to Mrs. Turner, "who, to try the operation herself, gave it to a cat, wherewith the cat languished, and pitifully cried for the space of two days and then died."

Afterwards Mrs. Turner sent for Franklin to come to Lady Essex's house, and he had a remarkable interview with her.

"*Aquafortis* is too violent a water," said the Countess. "But what think you of white arsenick?"

"It is too violent," said Franklin.

"What say you," said Lady Essex, "to powder of diamonds?"

"I know not the nature of that," said Franklin, explaining that it was too expensive for his experiments.

Lady Essex then told him he was a fool, and gave him some gold pieces to buy some of that powder for her. Franklin, according to his own tale, which must not be taken as gospel truth, then asked her the reason why she wanted to poison Sir Thomas Overbury, and she told him, "He would so far pry into their estate that he would overthrow them all."<sup>1</sup>

Any words of Franklin must be doubted, because he was willing to lie to anything that would please his judges; but it is clear enough that he undertook to provide poison. The first poison given into Weston's charge to be administered to Sir Thomas seems to have been (though the witnesses gave many contradictory accounts) of a green and yellow colour called rosalar. It was sent to Weston by means of his son on May 6, 1613, and he agreed to put it into the prisoner's broth. When it first came to him (according to his son's confession) it was in a vial two inches long and wrapped in paper.

<sup>1</sup> Franklin's Confession, State Trials.

As he was going to Sir Thomas Overbury's lodging at the Tower, with the prisoner's supper in one hand and the glass in the other, he happened to meet Sir Jervis Elways, the Lieutenant. Shaking with excitement, and believing that the Lieutenant must be in the secret, he suddenly blurted out, "Sir, shall I give it him now?" The Lieutenant stopped dead, startled by the man's look, and by this curious question. "What?" he asked. "Give him what?" Then Weston cried out, "Why, sir, know you not what is to be done?" The Lieutenant, who had not before seen the vial in the man's hands, was seized with a frightful suspicion, and in a state of great emotion urged the gaoler to confess what this business was. When Weston confessed that he was carrying poison, Sir Jervis reproved him and called down God's judgment upon him if he ever did such a thing, and burst out into eloquent words to show the man his own sin. Weston, who was a canting hypocrite as well as a low scoundrel, and who must have been extremely relieved to be let off with a pious lecture instead of being handed over to one of his fellow-gaolers, fell upon his knees and thanked God and the good Lieutenant, and told Sir Jervis that he had cause to bless God for such a master, who had withheld him from doing that act.<sup>1</sup>

The good Lieutenant behaved very strangely in this matter. He was so filled with charity at the sight of the gaoler's tears that he could do "no better office than raise him up who was then down."

"I showed him kindness," he explained, "I drank to him, to the intent I might encourage the intentions of his mind, which I found then resolved in abhorring the fact."

All that was extremely benevolent and remarkably foolish. If this Lieutenant, instead of indulging in pious phrases, had immediately arrested this would-be murderer he would have been doing his plain duty. But the truth was that the Lieutenant trembled with fear at the discovery he had made. It seemed to be a dreadful explanation of some other things that had perplexed him.

<sup>1</sup> Sir Jervis Elways's confession to the King, and defence in court.



Upon Overbury being committed to the Tower Sir Jervis had been honoured by a visit from a very great man. It was none other than Lord Privy Seal, the Earl of Northampton, who had deigned to spend two hours with him. He had explained that this man Overbury must be closely watched; that he had in his possession secrets of State which he intended to divulge, and that he desired by all means to stop the match between Viscount Rochester and the Countess. Sir Jervis, flattered by being brought into such a high secret, promised to do everything the noble Earl desired. He reported his first interview with his prisoner in the following letter to his "special good lord":

"As soon as he came to the place [the Tower] Sir Thomas protested his innocency upon the Bible; and then (quoth he) he asked me what they meant to do with him? I answered they mean to refine you, that your presence may appear a little better. After I walked with him to his chamber and advised him to give way to the match between Rochester and the Countess; but then he grew hot against your Lordship and the Countess of Suffolk, saying, 'If he were the Countess of Suffolk's prisoner (as he thought he was) then,' said he, 'let her know that I care as little to die as she to be cruel.' The Countess of Suffolk I find to be joined with you in this plot, though the Chamberlain [the Earl of Suffolk] knows not of it nor any one else. But Rochester's part I shall much fear until I see the event to be clearly conveyed."

When the Lieutenant wrung Weston's confession from him, he remembered that letter and the long conversation with Lord Privy Seal, which had preceded the letter. In an instant it must have flashed upon him that all these great people, Northampton, the Earl and Countess of Suffolk, Lady Essex, perhaps the Favourite himself, were in league to do away with Sir Thomas Overbury, who was under his charge. Staggering under the shock of this revelation, the Lieutenant was possessed with a cold fear. What would happen to himself if he breathed a word about this business, which involved the greatest people in the Court, and

perhaps the King himself, by whose orders Overbury had been committed?

He decided to watch and to say nothing, and, if possible, to prevent any further attempts to injure his prisoner. The Lieutenant of the Tower adopted the policy of a coward, and though, perhaps, he was no criminal, the time was to come when he would have to pay the price of cowardice.

Weston, when he had confessed his guilty intention, carried the poison into "a little study." According to the prosecution afterwards, the poison was administered to Sir Thomas Overbury three days later, but it is quite clear from the man's confessions that this particular poison was not put into the prisoner's food. He pretended to Mrs. Turner, he said, that he had given it to Sir Thomas and demanded the reward.<sup>1</sup> Mrs. Turner, being a business woman, said the man should not have the reward till Sir Thomas were dead.

Fresh poisons were obtained from Franklin, enough, it would seem, to kill every prisoner in the Tower and every Yeoman of the Guard. According to his confession, he bought seven varieties, aquafortis, white arsenic, mercury, powder of diamonds, lapis costitus, great spiders, and cantharides. "All these," said the poison merchant, "were given to Sir Thomas Overbury at several times. And the Lieutenant knew of these poisons; for that appeared by many letters which he writ to the Countess of Essex, which I saw, and thereby knew that he knew of the matter. One of these letters I read for the Countess because she could not read herself, in which the Lieutenant used this speech: 'Madam, the scab is like the fox, the more he is cursed the better he fareth,' and many other speeches. Sir Thomas never ate white salt, but there was white arsenick put in it. Once he desired pig, and Mrs. Turner put into it lapis costitus. The white powder that was sent to Sir Thomas in a letter I knew to be white arsenick. At another time he had two partridges sent him from the Court, and water

<sup>1</sup> Weston's Examination, October 1, 1615.

and onions being the sauce, Mrs. Turner put in cantharides instead of pepper ; so that there was scarce anything that he did eat but there was some poison mixed. For these poisons the Countess sent the rewards ; she sent many times gold by Mrs. Turner. She afterwards wrote also to me to buy more poisons."

The story is, on the face of it, preposterous. If so many poisons had been given to Sir Thomas Overbury he must have had the constitution of a rhinoceros to have survived them, or found poison a stimulating kind of diet. There is no evidence, either, except Franklin's word, to show that the Lieutenant of the Tower had such correspondence with Lady Essex and was an active accomplice to the murder. No doubt, some or all of the poisons enumerated by the apothecary were given to Weston and smuggled into the Tower, but either the vigilance of the Lieutenant or the treachery of Weston to his own paymaster prevented them from ever reaching the unfortunate prisoner. Sir Jervis Elways, however, confessed that after receiving some tarts intended for Sir Thomas, and they had stood for awhile in his kitchen, " I saw them so black and foul and of such strange colours that I did cause my cook to throw them away, and to make other tarts and jellies for him." Again the Lieutenant adopted the policy of silence, and breathed not a word of what he had seen.

## CHAPTER VIII

### THE PRISONER IN THE TOWER

**I**N the meanwhile Sir Thomas Overbury, in complete ignorance of all these attempts upon his life, was endeavouring to get back the favour of his former patron, and to be restored to the King's grace. He wrote to the Viscount begging him to remember his imprisonment. To this Rochester wrote back : "*The time would not suffer, but so soon as possible might be, he would hasten his delivery.*"

On June 5 Rochester again wrote to Overbury, and in the letter he enclosed a white powder which he recommended Overbury to take.

"*It will,*" he said, "*make you more sick, but fear not, I will make this a means for your delivery, and for the recovery of your health.*"

According to Rochester's own explanation, he had sent this powder at Sir Thomas's own request. It was not an uncommon thing with prisoners of State to take something to make them vomit, so that they might plead grievous illness for speedy release. Sir Walter Raleigh was one among those who had done such a thing. According to Weston and Franklin, arsenic was sent in a letter to Sir Thomas, and it was held afterwards that this was the white powder which Rochester admitted having supplied. The evidence, however, is contradictory at this point ; and although Overbury was very ill after taking it, he was not actually poisoned until many weeks later. If



Rochester's white powder had indeed been arsenic, Overbury would have been a dead man within an hour.

Be that as it may, there was undoubtedly a conspiracy to keep Overbury in the Tower until the divorce was accomplished, and both Rochester and the Earl of Northampton were desperately anxious to prevent him from holding any communication with the outside world. They were afraid that he would tell what he knew about the past relations of Lady Essex with her lover, either to the King or to one of the Judges. He was therefore to be prevented from seeing visitors, even of his own family, although, as a prisoner for "contempt," this was not justified by law. Sir Thomas Monson said that he told his Lieutenant that "his keeper was not to suffer any letters, or tokens, or any things to be delivered unto him." This request, if ever given, was not literally obeyed, for at first Overbury was allowed to see one or two of his own people, and it was only towards the end that the strict rule was kept.

Mr. Overbury, Sir Thomas's father, hearing that his son was ill, went to the Court and sent in a petition to the King, begging that, in view of his son's sickness, some physician might attend him. The King was "very gracious," and said that his own physician should go, and then instantly sent word to Overbury by Sir William Butler that he would be waited upon by this doctor.<sup>1</sup>

"Upon this," said Mr. Overbury in his examination, "I only addressed myself to the lord of Somerset" [Carr] "and none else; who said my son should be presently delivered, but dissuaded me from preferring any more petitions to the King, which notwithstanding, I (seeing his freedom still delayed) did deliver a petition to the King to that purpose; who said I should have a present answer."

Carr told the old gentleman that his son would be suddenly released, but he insisted that neither Mr. Overbury nor his wife should press to see him, because that might protract his delivery. Also he advised them not to

<sup>1</sup> Domestic State Papers.

send any more petitions to the King, "as that might stir up Sir Thomas's enemies."

Then he wrote the following letter to his mother :

"Mrs. Overbury : Your stay here in town can nothing avail your son's delivery ; therefore I would advise you to retire into the country, and doubt not before your coming home you shall hear he is a free man."

One of Overbury's own servants, named Davis, went to Lord Rochester, begging that he might wait upon his master in the Tower, even though he were to be shut up with him. But the Viscount said that he shortly proposed to procure his total liberty, and this might hinder it.

George Rawlins, a kinsman of Overbury, was another of those who were refused permission to see the prisoner. He went often to the Tower, he said, in order to see his unfortunate relative, but was not even allowed to see him at the windows. Sir Robert Killigrew was actually arrested for having held intercourse with Overbury in the Tower.<sup>1</sup>

Nevertheless, Overbury, when he became ill, was not left without medical assistance. As we have seen, James promised his father that the prisoner should be waited upon by the Royal physician. It is significant indeed to find a letter written by Rochester himself to Dr. Craig, on June 14, in which he says that the King wishes him *to attend on Sir Thomas Overbury when he requires it, and to give him as much of his company as is needful*.<sup>1</sup> In August, also, Rochester was in correspondence with the King's French physician, Dr. Theodore Mayerne, who, writing to the Favourite from Bath, regrets that he can do but little for Sir Thomas Overbury at a distance. He regrets also that his lordship is himself indisposed.<sup>1</sup> On July 3, Paul de la Bell, a physician recommended by Dr. Mayerne, made Sir Thomas Overbury a bath, by Dr. Micham's advice, to cool his body, and that he "saw his body very exceeding fair and clear."<sup>2</sup>

It is clear, therefore, that the prisoner was well attended

<sup>1</sup> Domestic State Papers.

<sup>2</sup> State Trials.

during his sickness, and that Rochester himself did not prevent this assistance from being given to him, but actually took some trouble to obtain that favour. It is evident, too, that none of these physicians suspected poison as the cause of the prisoner's illness.

Rochester procured other small favours for the prisoner, and seemed anxious to prove that he was still his friend. He sent word to say that if he desired any special food which could not be obtained in the Tower this would be supplied, and various tarts and jellies were sent from the Favourite's own table, in order to give some variety to the plain fare of the Tower kitchen.

But there were other tarts and jellies coming into the Tower for the use of the prisoner, and they were sent by Lady Essex, and carried to the Lieutenant by a musician named Simon Marson, who had been six years in the service of Sir Thomas Monson.<sup>1</sup> Lady Essex was so anxious that nobody but Overbury should taste these good things that she wrote a mysterious letter about them to Sir Jervis Elways, the Lieutenant.

"I was bid to tell you," she wrote in this letter, "that if he did send you any wine you might drink of it, for in it there were no letters, but of the tarts and jellies eat not, for there are letters in them, but if you send them to your wife say they are for me, and keep them for me. Do this at night, and then all shall be well."

What was the meaning of that mysterious word *letters*? Sir Jervis Elways gave a literal meaning, believing, or feigning to believe, that the Countess was sending messages to the prisoner under cover of these pies, or "tarts" as they were called, this being a well-known device by which people smuggled in notes to imprisoned friends. But, as we have seen, he was careful to throw those tarts away when he observed that they became black and discoloured after standing for a while in his kitchen. There were some people who afterwards gave a different meaning to the word "letters."

<sup>1</sup> Simon Marson's Examination, State Trials.

All this while Sir Thomas Overbury, the prisoner in the Tower, whose fate was of such peculiar interest to so many strange people, such as Dr. Franklin and the two Westons, father and son, and Mrs. Turner, was a man tortured by many doubts, and by mental as well as physical distress. At first he believed, according to his passionate words to the Lieutenant of the Tower, that the Countess of Suffolk was the cause of his disgrace. Knowing her evil character, and brooding over the influences that had caused his downfall, it seemed to him that the mother had sought this revenge for his words about her daughter. As the wife of the Lord Chamberlain, who was a weak man and ruled by her, she had an immense influence at Court and with the King's Majesty. This idea was fixed in his brain, and it was to Viscount Rochester to whom he turned for help. He had been Carr's best friend. He had served him so well that, in spite of his lack of education, the Favourite had been able to fulfil the duties of the First Secretary of State without discredit. There had been no secrets between them, or, rather, they had shared many secrets, inventing a code of fictitious names to describe all the great people at Court, so that they might correspond without risk. In spite of all their quarrels about a wretched woman, it was inconceivable to Overbury that Rochester could forget their friendship, and join the league of his enemies. Inconceivable—at first. Gradually, however, he became perplexed. What was the meaning of this long-delayed release? He had refused the foreign embassy on Carr's advice, and upon his promise of speedy reinstatement. Why did Carr delay the fulfilment of that promise? A word from him to the King would be enough. To Overbury's petitions he answered, "The time was not yet come," and sent tarts to a man who wanted liberty. He sent him also that white powder which had made him ill, yet did not obtain any mercy for him. Then, what was the meaning of this solitary confinement? Why was he not allowed to see his friends, nor even his father and





From the engraving after the portrait at Gorhambury.

CATHERINE, COUNTESS OF SUFFOLK.

p. 158.



mother? That was not the usual treatment of State prisoners guilty only of small offences. As the days passed, and the weeks, and the months, Overbury began to be haunted by terrible suspicions. Was Rochester playing him false? Even yet he could hardly believe it. It was against the very laws of human nature.

One day he received a visit from his brother-in-law, Sir John Lidcote, and Sir Robert Killigrew, who had petitioned Rochester for permission to see him during his illness. Rochester had not refused that reasonable request, and the Earl of Northampton and some of the Privy Councillors had given a warrant to the Lieutenant of the Tower to admit these visitors. They found Overbury "very sick in his bed, his hand dry, his voice hollow."

"At this time," said Sir John Lidcote, describing this scene, "he desired me to write his will; I proposed to come to him the next day. Now being ready to depart, the Lieutenant going out before, Overbury asked me softly this question: '*Whether Rochester juggled with him or not?*' But then I told him, as I believed, that I thought not. But the Lieutenant, looking back, and perceiving that some whispering had passed, swore that I had done more than I could justify. But afterwards, coming to press my lord of Somerset [then Viscount Rochester] about Sir T. Overbury, I perceived he dealt not plainly with him. And once speaking with my lord about him he gave a counterfeit sigh (as I imagined), *for, at that instant, he smiled in my face.*"<sup>1</sup>

Into Overbury's unhappy soul there came at last an absolute conviction that Rochester was indeed playing a false game. He did not guess for a moment that other people, perhaps Rochester himself, were intent upon murdering him. He had not seen the discoloured tarts. He had not caught Weston with a glass vial in his hand. He did not even imagine that the white powder which had given him such pain and sickness was of a poisonous

<sup>1</sup> Lidcote's Examination, State Trials.

nature. But that Rochester, whose "ghost" he had been, serving him secretly and faithfully in all the business of State and Court, should betray him, and use his influence to keep him languishing in the Tower, was poison enough to Overbury's brain. It maddened him, and from his prison he wrote letters to his former friend, accusing him, bitterly and passionately, of black-hearted treachery.

"Is this the fruit of all my care and love to you?" he wrote. "Be these the fruits of common secrets, common dangers? As a man you cannot suffer me to lie in this misery; *yet your behaviour betrays you*. All I intreat of you is, that you will free me from this place, and that we may part friends. Drive me not to extremities, lest I should say something that you and I both repent. And I pray God that you may not repent the omission of this my counsel, in this place, whence I now write this letter."<sup>1</sup>

The last lines of this letter were a prophecy that came true. For the time was to come when Viscount Rochester, then my Lord of Somerset, would repent in that same place for having ignored Sir Thomas Overbury's warning.

The unhappy man wrote another letter to his former friend, in which there are several mysterious names and phrases, which only Rochester could understand, being part of the cipher that had been used between them. But the drift of it is plain enough.

"This Paper comes under Seales, and therefore shall be bold to speak to you as I used to do my self. I understand that you told my Brother<sup>2</sup> that *my unreverent stile should make an Alienation betwixt you and me hereafter, at least such a one as we should never be as we had been*. With what Face could you tell him that you would be base to me to whome you owe more than to any Soule living, both for your Fortune, Understanding and Reputation? One who lost his Fortune with Ignati, entered into a Quarrel with Niger, suffered five Months Banishment, and now five months miserable Imprisonment, and now to make so poor a

<sup>1</sup> State Trials.

<sup>2</sup> His brother-in-law, Sir John Lidcote.



*Pretence to say you will alter toward me for the Style in my Letters ! Alas ! this shift will not serve to cover your vow, your sacrificing me to your Woman, your holding a firm Friendship with those that brought me hither and keep me heare, and not make it your first Act with any Good Termes with them to set me free and restore me to your selfe againe. And you bid my Brother keep your intent secret that you might steale away with your Wickedness : But that shall not be ; you and I will come to a publick Tryal before all the friends I have. They shall know what words have passed betwixt us heretofore of another Nature than these ; and I pray you keep my Letters that they may see how much I foregot your Lordship in my Exyle. I shall be upon the Racke, you at your Ease negligent of me and I must speak calmly. If Hector of the Harlaw be so Infamous for betraying a stranger your Storye shall be put down to betray and so quit a Friend. But now I will confess to you, so soon as I perceived how little (never name Love) human Affection, how little Compassion (no not so much as the Colt in Enfield Chace ;) when I heard how notwithstanding my Miserie you visited your Woman, frizled your Head never more curiously, took care for Hangings, and dayly were solicitous about your Cloaths ; officious in waighting could prefer your Cozen and Gibbe ; held day—Traffique of Letters with my Enemies, without any turning it to my Good ; sent me nineteen Projects and Promises for my Libertie then at the beginning of the next Week sent me some frivolous account of the Miscarriage of them and so slip out of Towne ; and all this ill Nature shewed by the Man whose Conscience tells him that trusting to him brought me hither, and by him that conveyed all my service to Julius, and made himself valued by his Maister for it, and my share to be a Prison upon such Tearms that never Man suffered yet ; nay knoweth that what he speakes and writes howerly is mine, and yet can forget him that sowed that in him, and upon whose stocke he spendes ; nay, forget him betwixt whom was nine yeares Love, and such Secrets of all kinds have passed, and in the Noyance, my Father*

and my Mother Languishing for me. *My Soul wisheth she might but lye upon the Boards to bear me Company*: My brother Lyd overthrown by it, his Aunt discharging him from her House which saved 300*l.* a year: And he that is the Author of all, and that hath more Cause to love me, *yea perish for me rather than see me perish*, to stand stupid and leese a jot of aine thing that concerns himself, go on and make much of one; *nay let my Enemies play upon me*; send for Tickets under my Hand; so that, *by God, since I came in I have not found the advantage of a Strawe*, by not so much as a Servant in my extream Sickness, *nor my Friends free to speake my last wordes to.*

"When I had observed this, *the Bitterness of my Soul* cannot conceal it self in Letters; and that this Wickedness may never die, I have all this Vacation wrote the Story betwixt you and me *from the first Hower to this Day.* What I found you at first, what I found you when I came; *how I lost all the great ones of my Countrie for studying your Fortune, Reputation and Understanding*; how many Hazards I have runn for you; how many Gentlemen for giving themselves to you a Stranger are now left to the Oppression of their Enemies; *what Secretes have passed betwixt you and me*; and then for the last part; how when you fell in Love with that Woman, as soon as you had wonne her *by my Letters*, and after all the Difficulties being past, then used your own for common Passages; then you used your own and never after but *denyed, concealed and jugled* betwixt your Man<sup>1</sup> and your self; and upon that Cause there came many breaches at Huntington and Newmarket and after at Whitehall. Thereupon you made your vow that I should live in the Court, was my friend, and many Oathes which are now fulfilled; *stayd me here when I should have ben gone, and sent for me twice that Day that I was caught in the Trap*; and long intending in your Thoughts long agoe a Marriage with that Woman, deny'd since me to enquire of her; *would speak ill of her your self*; and having been now two months reconciled to a

<sup>1</sup> Overbury.

League, not to have first, upon those hopes of theirs, *made sure my Liberty and Return*; and now at last, when we may easily live the rest of our Life in Peace, and enjoy the remembrance of Troubles, now you leave me out, and take an Occasion upon unrespective Language *to say you will never be to me as you have bin*. All these Particulars I have set down in a large Discourse, and on Tuesday I made an end of wrighting it fair, and on Fryday I have sealed it *up under eight Seales*, and sent it by a Friend of myne whom I dare trust (*takeing his Oath not to open it*). I send it to him, and then to all my Friends Noble, and Gentlemen and Women, and then to read it to them and take Copies of it, and *I vowde to have wrote the Truthe*. This I think you will not deny a worde. So thus *if you will deal thus wickedly with me*, I am provided that whether I live or die, *your Nature shall never die*, nor leave to be the most odious Man alive."

This remarkable letter reveals the bitter spirit of the man who wrote it from his prison in the Tower. The words are scorching hot with passionate reproach, and must have burnt into Rochester's brain as he read it like red-hot irons. Some of its phrases startle one by their intensity, as when he reminds Rochester of those services he had done him, so that "he hath more cause to love me, yea, rather perish for me, than see me perish." His anger is sometimes lighted by a brilliant irony, as when he writes of Carr's speech that he would alter towards him because of the style of his letters. "I pray you keep my letters, that they may see how much I forgot your Lordship in my style!" And when he said that he should not steal away with wickedness, but that "you and I will come to a publick Tryal before all the Friends I have," it was no idle boast, and one sees that day when Robert Carr, Earl of Somerset, stood in a crowded court, accused before men, and before his conscience, by the spectre of that friend who had been his "ghost" in life.

In this letter, also, we are taken into the secret of the relations between these two men. Between them there was

"nine years' love." To Overbury more than to any soul alive Carr owed his fortune, his understanding, and reputation. Overbury had taught him how to speak and how to write, and had sowed in him those seeds from which he now gathered the fruit of his high position in the State. Overbury had written the letters to the woman he desired, and it was that woman who had come between them. For this vile creature he had broken his vows of friendship and had entered into a league with the enemies of his friend, so that while Overbury lay with not a straw to soften the hard boards of his prison, Carr had visited this woman and "frizzled his head never more curiously." Then having reviewed all these things and the story of that treachery which had caught him in a trap, Overbury writes those dread words, which must have turned Carr cold with fear as he read them: "The Bitterness of my Soul cannot conceal it self in Letters. That this Wickednesse may never die, I have all this Vaccation wrote the Story betwixt you and me from the first Hower to this Day."

It would be of intense and tragic interest to find the manuscript or one of the copies of that manuscript, which was entrusted on oath to one of Overbury's friends. What became of it is one of the secrets of history. It is doubtful whether it ever got outside the Tower. Perhaps Sir Jervis Elways was too vigilant, or if Sir John Lidcote, or Sir Robert Killigrew, or some other friend, carried it away, he may have kept his oath not to open it, by watching it burn to ashes, afraid of having in his hands a tale too dangerous to the possessor. It may have been, however, that some gentleman unknown to history ate a little white powder with his food, or found himself followed one night by masked men. If Carr had shown this letter of Overbury's to Lady Frances she would have given many "angels" to any devil who would secure this story of Overbury's before any other eyes should read it. Carr himself must have been willing to spend his fortune on the purchase of this manuscript in which Overbury had set down the truth. "I have provided," said Overbury, "that whether I die or live your Nature



shall never die, nor leave to be the most odious Man alive.' Undoubtedly a man would hazard many things to get hold of such a life-story; and by some means or other Overbury was thwarted in this part of his revenge, for it was never published to the world.

Sir Ralph Winwood, afterwards one of Rochester's very particular enemies, from whose collection of State Papers Overbury's letter is here copied, says: "As there is no date to it, 'tis pretty difficult to adjust the precise time when it was wrote; tho' one Passage in it, where his being *five Months a Prisoner*, makes it clear it was not long before his unhappy End; which 'tis not improbable this very Letter might *hasten*."

Winwood's surmise in those last words may have been right, for after writing the letter Overbury's end was not long in coming.

The immediate cause of the last attempt upon Overbury's life seems to have been the rumour that the prisoner was soon to be released. The Earl of Southampton, writing to Sir Ralph Winwood, on August 6, with reference to Winwood's chance of being made Secretary says:

"I perceive by your last Letter that you have been of late particularly advertised of the Proceedings in *England*, and how the Busyness of which we desire so much to hear the Conclusion, is still in Suspense. The Difficulty alleged is the not having as then accommodated the Matter of *Sir Thomas Overbury* which many times bred Disturbance and hindred the Performance of the Resolution taken, and it is in vain to hope for any good Issue of that other untill that be settled, which I think to be done long ere this after this Manner, that upon his Submission he shall have leave to travail, with a private Intimation not to return untill his Majestie's Pleasure be further known. And much adoe there hath been too to keepe him from a publique Censure of Banishment and Loos of Office, Such a rooted Hatred lyeth in the King's Heart towards him."<sup>1</sup>

When Lady Essex heard that Overbury might come out

<sup>1</sup> "Winwood's Collection of State Papers.

of the Tower within two days, she was filled with passionate dismay. Sending for Weston, she upbraided him violently, and "was very angry with him that he had not despatched Sir T. Overbury. Weston told her that he had given him a thing that would kill twenty men."

The Countess and Mrs. Turner seem to have lost faith in Dr. Franklin's skill, as well they might, seeing that after his seven varieties of deadly poisons Sir Thomas Overbury still remained alive. Mrs. Turner, getting very desperate, now found out an apothecary's boy (it is remarkable what a large acquaintance she had among apothecaries and their assistants) who knew how to lay hands upon some of his master's most deadly drugs. On September 6, 1613, five months after Sir Thomas Overbury's arrest, this boy, for a reward of twenty pounds, poisoned a "clyster," and on the following day this was administered as "good physic" to the prisoner.

It seems extraordinary that this latest poison did actually find its way into Sir Thomas Overbury's body. After having escaped such a chemist's shop of poisons, one is inclined to incredulity that he should at last have taken this fatal dose. But perhaps the Lieutenant of the Tower had relaxed his vigilance for a moment, or had been tempted by his good and noble friend, the Earl of Northampton, to shut his eyes to the private business of the gaoler.

Whatever may be the reason of this success, after such repeated failures, it is certain, according to the evidence, that on the night of September 7 Sir Thomas Overbury took the poison, and immediately fell into a terrible vomiting, which hardly ceased until his soul left his body on September 15.

The gang of poisoners had done their work at last. Lady Essex had no further need to inquire every day, with an anxiety that seemed so touching, as to the health of the unhappy gentleman who had fallen under the King's displeasure. Messengers no longer followed her, wherever she went with the Court, bringing her news of him.

Perhaps when she heard the final news she may have gone white, and pressed her hands to her heart, staring before her at the vision of the dead body lying still after a long-drawn agony. To a woman of sensitive temperament murder is not a pleasant pastime. But in the household of Mrs. Turner there were some cackling laughter and secret rejoicings, for now there were rewards to be gathered in when the work was done. Mrs. Turner's servants shared in the pleasure of their mistress, for "the toothless maid, trusty Margaret, was acquainted with the poisoning; so was Mrs. Turner's man Stephen; so also Mrs. Horne, the Countess's own handmaid."<sup>1</sup> Dr. Franklin and Richard Weston the gaoler, and the apothecary's boy, and God knows how many more, were rubbing their hands at the thought of the golden angels that would come their way now that Sir Thomas Overbury no longer writhed upon his bare boards.

Lord Privy Seal, who throughout Overbury's imprisonment had shown such a peculiar interest in this gentleman's affairs, was one of the first to hear the news of his death. He immediately wrote to the Lieutenant of the Tower, in which we may see his very deep anxiety to get rid of the body at the earliest moment.

"WORTHY MR. LIEUTENANT" (he wrote),

"My Lord of Rochester, desiring to do the last Honour to his deceased Friend, requires me to desire You to deliver the Body of Sir Thomas Overbury to any Friend of his that desires it, *to do him Honour at his Funeral*. Herein my Lord declares *the Constancy of his affection to the Dead, and the meaning that he had in my knowledge to have given the strongest Straine at this time of the King's being at Tiballes [Theobalds] for his Delivery*. I fear no impediment to this honourable Desire of my Lord's but *the Unsweetness of the Body*, because it was reported that he had *some Issues*, and in that case the keeping of him above must needs give *more Offence than it could do Honour*.

<sup>1</sup> Franklin's Confession, State Trials.

My Fear is also that the Body is already buried upon that Cause whereof I write, which being so, it is too late to set out Solemnity.

"Your affectionate and assured Friend,

"NORTHAMPTON.

"POSTSCRIPT

"You see my Lord's *earnest Desire* with my concurring Care, *that all Respect be had to him that may be for the Credit of his Memory*; but yet I wish withall that you *do very discreetly enforme your self whether this Grace hath been afforded formerly to close Prisoners*, or whether you may grant my Request in this Case, *who speak out of the sense of my Lord's affection*, though I be a counsellor, without Offence or Prejudice. For I *would be loath to drawe either you or my self into Censure*, now I have well thought of the matter, tho' it be a Work of Charity."

So extraordinarily anxious was the "affectionate and assured friend" of Sir Jervis Elways that Overbury's body should be hurried out of sight that at midnight he again wrote to the Lieutenant on the same subject:

"WORTHY MR. LIEUTENANT,

"Let me intreat you to call Lidcote, and three or four of his friends, if so many come, to view the Body, if they have not already done it; and so soon as it is view'd, without staying the coming of a Messenger from the Court, in any case see it enterr'd in the Body of the Chapell within the Tower instantly.

"If they have viewed, then bury it by and by<sup>1</sup>; for it is time, considering the Humours of that damn'd crew, that only desire means to move Pity and raise Scandals. Let no Man's Influence move you to make Stay in any Case, and bring me these Letters when I next see you.

"Fail not a jote herein as you love your Friends; nor

<sup>1</sup> The meaning of this phrase, like that of "presently," has altered. Both signified *immediately*.



after Lidcote and his Friends have viewed, stay one Minute, but let the Priest be *ready*, and if Lidcote be not there, send for him speedily, pretending that the Body will not tarry.

“ In Post-haste at 12.

“ Yours ever.”

The letter was not signed, and it is not difficult to guess the reason for such an omission. There are many peculiar phrases in both the letters which give one food for thought. It is significant that Rochester desired a public funeral for his former secretary, and that he was also anxious for the body to be delivered to the friends of the dead man. It does not seem as if the King's Favourite suspected this dead man's body to tell tales. It was Northampton himself who wished to prevent publicity. The Lieutenant of the Tower was not to wait for any messenger from the Court. If possible, he was to get it buried in the Tower chapel before Lidcote and Overbury's friends could see it, “pretending” that it would not tarry. And realising that these letters might be dangerous, he desired the Lieutenant to return them. All this is very much against the reputation of Henry Howard, Earl of Northampton.

Upon the back of the first letter are the following words in Sir Jervis Elways's own hand:

“ So soon as Sir Thomas Overbury was departed I writ unto my Lord of Northampton, and because my Experience could not direct me I desir'd to know what I should do with the Body. My Lord writ unto me that I should first have his body viewed by a Jewry, and I well remember his Lordship advised me to send for Sir John Lidcote to see the body and to suffer as many els of his Friends to see it as would, and presently to bury it in the Body of the Quire, for the Body would not keep.<sup>1</sup>

“ Notwithstanding Sir Thomas Overbury dying about five

<sup>1</sup> This is clearly a summary of Lord Northampton's letter, which is quoted in the text ; but, as we have there seen, it was Lord Rochester's desire that it should be viewed by Overbury's friends.

in the morning, I kept his Body unburied until three or four of the clock in the Afternoon. The next Day Sir John Lidcote came thither ; I could not get him to bestow a Coffin nor a Winding-sheet upon him. The Coffin I bestowed ; but who did winde him, I know not. For indeed the Body was very noysome ; so that notwithstanding my Lord's Direction, by reason of the Danger of Keeping the Body, I kept it over long, as we all felt.

“GER. HELWYSSE.”

There is a self-evident contradiction in these notes written by the Lieutenant of the Tower. For he admits that he buried Overbury at three or four o'clock in the afternoon, and that it was on *the next day* that Sir John Lidcote called. If Overbury were already buried there could be no question about a coffin or a winding-sheet, and it is, apart from this, unlikely that Lidcote, who had been jealous in his desire to procure his brother-in-law's comfort and liberty, should have refused to provide the necessities for his burial. The Lieutenant's story was an ill-thought-out attempt to frame some plausible excuse for hurrying the prisoner's body into the ground without the last honours of his friends. But it is extremely curious that he does not mention the inquest which was actually held before his burial.

Lord Privy Seal conveyed the news of these things to Rochester, who was away with the King. Revolting as the letter is, it must be read to reveal more clearly the nature of that man who had exercised such an evil influence on the life of the King's Favourite.

“SWEET LORD” (he wrote),—

“Overbury being viewed, there was found on his arm an issue, and on his stomach twelve kernels likely to break to an issue, each as big as three pence ; one issue on his back with a tawny plaister on it ; this was strange and ugly. He stunk intolerably, in so much that he was cast into the coffin with a loose sheet over him. *God is gracious in cutting off ill instruments from the factious crew: If he*

*had come forth, they would have made use of him.* Thus, sweet lord, wishing you all increase of happiness and honour, I end,

“Your lordship’s more than any man,

“HENRY NORTHAMPTON.”

Lord Privy Seal chuckled over that dreadful corpse and found it joyful to linger over the details of its corruption ; and, being a pious man, gave thanks to God for getting rid of his enemy, and the enemy of his family. It was a pleasant duty to write this news to his “sweet lord,” who now, with this secret between them, would never dare to go against any desire of his noble friend and colleague. Henry Howard, Earl of Northampton, had got the soul of Robert Carr into his own hands.

Whether Sir Thomas Overbury was conscious before he died of being poisoned by his enemies we shall never know. No sound of his voice came out from that lodging in the Tower. Perhaps in the intervals of his last agony he cursed the name of the man who had been his friend, and of the woman whose evil beauty had blighted him. Yet if he regained consciousness at all, it is probable that with that deep faith in the Supreme Power which, in those days, abided even in hearts which beat most out of harmony with the divine will, he looked not backwards upon the ambitions and failures of his life, but into the unknown future on the other side of the great river. Some time before his death he wrote his own epitaph, and his spirit may have been uplifted with the music of those lines when it passed out of its prison-house.

The span of my daies measured, here I rest,  
That is, my body ; but my soule, his guest,  
Is hence ascended : whither, neither time,  
Nor faith, nor hope, but only love can clime ;  
Where being now enlightened, she doth know  
The truth of all men argue here below :

Onely this dust doth here in pawne remaine,  
That, when the world dissolves, she come again

## CHAPTER IX

### MY LORD OF ESSEX BECOMES A BACHELOR

WHILE the unfortunate Sir Thomas Overbury was languishing in the Tower, the proceedings for a divorce between Lord and Lady Essex were being pushed on by the Howard family. The King's influence in the matter had been secured by his Lord Chamberlain (the Earl of Suffolk), by his Privy Seal (the Earl of Northampton), and by his own Favourite, Viscount Rochester, who, having been hated by the Howards, was now their "sweet lord."

Young Essex was already separated from his wife. He had tried to tame the shrew, and he had failed. Her behaviour at Court had opened his eyes to much that had been mysterious to him upon his home-coming; and though he had been very patient with her, using every argument to restrain her wanton ways, which brought such dishonour upon her own name and his, he had been unable to alter her mode of life, or to teach her prudence, at least. A man fond of outdoor sports, he consoled himself with boon-companions of his own age and habits, and let his wife go her own way to the devil, or anywhere, that he might have peace. But from these friends of his he heard many curious stories about his lady and the King's Favourite—stories of late meetings at Whitehall, of secret encounters in great houses, and low houses. When, therefore, at the end of the year 1612 she had suggested separate households, he was glad to be relieved of a woman who had so tortured him.



Nor when he heard that she was pleading for a divorce against him did he trouble to oppose her. If he could be rid of her for ever it would be a blessing that would make him thankful. Yet it was a shameful business, and his liberty would cost him the deepest humiliation to his manhood. This vile woman, who was lacking in every instinct of pure womanhood, made charges against him which were utterly untrue and utterly abominable. She pretended that he had never been a husband to her, and that he was by nature unable to fulfil the obligations of marriage. To all this young Essex shrugged his shoulders and said very little. If she could prove her case, he would be glad, though it would prove that the law was on the side of liars.<sup>1</sup>

When the King took the business in hand, and put the lady's plea (presented by her great-uncle the Earl of Northampton) before a committee of Bishops and Privy Counsellors, Essex adopted the policy of silence, and answered only with shrugs and significant smiles, which might mean one thing or another. One thing only he maintained stubbornly, that if he were incapable of being a husband to Lady Frances, because of some witchcraft practised against him, he could make a very good husband to any other woman.

The whole proceedings of the divorce case were of a very extraordinary character, and quite contrary to any precedent in English law. It is not to be wondered at that some honest men were horribly scandalised and deeply suspicious of the truth of the evidence brought forward. One of these honest doubters was Dr. Abbot, who, as Archbishop of Canterbury, was commanded by the King to be the chief commissioner in the preliminary inquiry. Archbishop Abbot was a hard man, a notable persecutor of Catholics, and the most formidable enemy of Puritans on the one hand, and Ritualists on the other. But though he was hard he was very honest, and did not juggle with his conscience. When the matter was first broached to

<sup>1</sup> "Truth Brought to Light," and State Trials.

him by the King in the gallery at Whitehall, and afterwards, on the same day, by the Earl of Suffolk, Lord Chamberlain, who was father to Lady Frances, he was a good deal dismayed. He had "heard of some discontentments between that noble couple," he said, "but never imagined that matters were come to that head."

He made the same reply to both His Majesty and Lord Chamberlain Suffolk.

"I do not know the ground upon which you intend to move," he said; "but if I am to be a judge in any such question, I would pray that other bishops being near the town and Court may be joined with me."

He then begged that before the matter were entered upon he might have some private conversation with the young lord of Essex, in order to satisfy his own mind. This was permitted, and on the following day the Archbishop sent for the Earl and had a private talk with him, finding him very reserved, but resolved that his honour should be preserved. A day or two later Abbot again met the Lord Chamberlain in the gallery going towards St. James's Park. He could not reveal all the particulars of what had passed in private, but he spoke very plainly to his lord of Suffolk.

"I have spoken with the earl of Essex," he said, "and perceive it to be a matter of great difficulty. I therefore wish your lordship to be well advised before anything is brought into public."

The Lord Chamberlain pooh-poohed his fears, and told him that among those on the Commission to decide the affair were the Bishops of London, Ely, and Litchfield, the two Chancellors of the Exchequer and Duchy, Sir Daniel Dun, Sir John Bennett, Dr. James, and Dr. Ely. Abbot "liked the persons very well," but he was startled to hear in a few days that the Commission had been appointed by the Great Seal, that the proceedings of divorce had been decreed, that the Earl of Essex was called as a witness, and that his wife's plea had been put in. All this was going very fast, and the Archbishop was annoyed



From an engraving after the painting by Zuccherò.

THOMAS HOWARD, EARL OF SUFFOLK.

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that no more deliberation had been given to his plea for caution. There were also phrases in the plea which seemed to him mere trickery to get a divorce without just cause, and to contradict the whole argument of "Nullity." At the first sitting of the Commission the Archbishop did not hesitate to express his doubts.

"You have built a very narrow bridge for yourselves to go over," he said to the counsel for the lady. At this time there were others who agreed with him, among them the Bishop of London. But the Bishop of Ely sat very silent. The right reverend the Bishop of Litchfield was very free-spoken, and grieved openly at this painful controversy.

"He was ordinary" [chaplain], he said, "to the earl of Essex, and had been in his house at Chartley, which he saw to be well governed, and the earl did bear himself most religiously therein to his great comfort. As far as he was concerned himself, his wife had the honour to be cousin-german to the countess of Suffolk; and therefore he had no reason but to wish well to the earl of Essex and his lady both. Yet if he had been worthy to be consulted withal he should have thought that seven years had been little enough to have deliberated whether it were fit to bring such a business into question before the world."

Other members of the Commission expressed similar views, but before long there was a remarkable change among them. The truth was that there were spies in the room. Sir Julius Cæsar and Sir Daniel Dun, who listened to these words of disapproval, reported them to the King and the Howards, and the speakers began to find themselves given the cold shoulder at Court. This had a rapid effect.

"Sir Thomas Parry," says Abbot, "in all his speeches had demurred against this nullity till he came to Windsor, where, the day that the King heard us, the Lord Chamberlain, in my presence, spake privately with him and Sir Julius Cæsar about the matter, and from that time the Chancellor of the Duchy was altered. My lord of Ely, also, for a great while was in dislike of the separation (as I

have credibly heard he opened himself to Sir Henry Savile), until such time as the King spake with him, and then his judgment was reformed. But truth it is that among us he said nothing."

My Lord of Essex was now interrogated in the presence of all the commissioners, but nothing very much could be had from him. Speaking of his wife, he said, "When I came out of France I loved her. I do not so now, neither ever shall I."

The Lady Frances was also privately interrogated, by a committee of seven great ladies of Court, who were: Katherine, Countess of Suffolk; Frances, Countess of Kildare; Elizabeth, Lady Walden; Elizabeth, Lady Knevet; Lady Katherine Thynne; Mrs. Katherine Fiennes; Mrs. Dorothy Neale. The result of that interview, in which the utter shamelessness of the woman was revealed, was to bear out her plea in this suit of nullity. But again Archbishop Abbot was grievously disturbed. It seemed to him that this was a conspiracy rather than a trial. It was a strange thing that the influence of the King and the Howards seemed to be of more weight than truth or justice. Regarding the interrogation of Lady Frances, he was informed that Lady Knevet, one of the seven then present, had declared her sorrow that she had been brought into the affair, and that she wept all day about it. "These things pleased me little," says the Archbishop.

He was still less pleased when the King sent for him on Midsummer Day, and bullied him for delaying the proceedings and for not keeping him acquainted from time to time how matters were going on. He defended himself warmly on both points, but the King was still very cold. Then Abbot discovered that some of his fellow-commissioners were making complaints to the King against him, and that they had begun to use every kind of trick and threat to urge him to yield to the nullity. He was accused of having been influenced by the Queen to thwart the other judges in the case. Whereas, he protests, he had

not spoken a word to her on the subject. "Yea," he says, "it was to my face delivered, as a threat, that Archbishop Grindal had been overthrown for not giving consent to the divorce of Dr. Julio, as implying that the same would be in my case."

Shortly afterwards, the Earl of Suffolk openly showed his anger to the Archbishop in the gallery at Whitehall, and on the same day sent a letter addressed to the Lord Archbishop, the Lord Chancellor, and the Lord Privy Seal, written all in his own hand, in which he twice took exception to Abbot by name, and insulted him as if he intended to pick a quarrel with him. Suffolk also wrote to the King, expostulating with Abbot for delaying the business. The Archbishop bore all this patiently, though he began to see now that his honesty would cost him a heavy price. He unburdened his soul to Sir William Button, who was a friend of his and also in the King's favour.

"Sir William," he said, "you have followed this business from the first, and have been present at the acting of all things. Have you ever seen me in word, or deed, do any matter that doth not become me? What is then the cause that I am thus complained upon, that I cannot one day be quiet?"

"The Lord Chamberlain," answered Sir William, "is every way a kind father to his children; but in this of his daughter he is so passionate till it has an end, that he lies as on a gridiron, broiling till the matter be accomplished."

"It shall not be delayed by me," said the Archbishop.

After the examination of the witnesses, and the receipt from the Lord Essex's counsel of their "sound and picquant" answer, which for some unexplained reason was ordered to be defaced from the records, it appeared that the sentence could not be given until the King was at Windsor. Sir Daniel Dun, who acted as counsel for Lady Frances, told the other commissioners that he was to attend the King in progress; that he must be at Farnham; that he was old and lame; that it would be too great a trouble

for him to come back again at the day of sentence, and that he therefore desired them to hear his judgment of the whole matter.

After some had demurred at this, consent was given, and Sir Daniel Dun read out a long discourse, proving to his own satisfaction that a decree of nullity could be granted justly to Lady Essex. His conclusion was that "the sentence was to be given in general terms, not naming any particular impotency."

Archbishop Abbot would not accept this. "In such a sentence," he said, "the world expects us to give a reason for what we have done."

"It is fit to give no reason," said Sir Daniel.

Here the Chancellor of the Exchequer broke in :

"A judge," he said, "is not to give a reason of his sentence, but only to God. I would give no reason to any prince in the world. I was once called before Queen Elizabeth about a sentence which I gave, and she demanded the reason thereof. I told her, 'A judge was bound to give no reason of that which he pronounced, but only to God.'"

The Archbishop was not convinced.

"Well," he said, "let it be that we acquaint not the world with the reason of that which we do; yet is it not fit that I, who am the judge, and must pronounce the sentence, know the ground of that which I am to pronounce?"

Here there was a pause, and then one of the commissioners said :

"Yes; for you may see that in the book and depositions."

"But I cannot see there that which may satisfy me," said the Archbishop, whose obstinate honesty was so embarrassing to his fellow-judges. Then he silenced all the whisperings and murmurings around him.

"Mr. Chancellor," he said, "and Sir Daniel Dun, commissioners, you perhaps be not driven to it. Yet I shall be forced of necessity to tell men the reason of this sentence. For, as soon as this cause is sentenced, every





From an engraving by W. T. Mote. after the original picture.

GEORGE ABBOT, ARCHBISHOP OF CANTERBURY.

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man who is discontented with his wife, and every woman discontented with her husband, which can have any reasonable pretence, will repair to me for such nullities. If I yield unto them, there will be strange violations of marriages; if I do not I must not tell them '*It was fit for my lord of Essex, but it is not so for you*'; for the law knoweth no persons, but is indifferent to all. If I then repel them I must show a reason. '*Your case is not like that of my lord of Essex; for his case was thus. Yours is thus.*' And so must I deliver the reason, or men will not be answered."

All the commissioners fell to debating this point, which was really unanswerable. But then the Archbishop called out to Sir Daniel Dun:

"I pray you, Master of the Requests, what examples have we of any nullities in England pronounced in this kind? Might a man see any precedent of it? For I would be loath to do anything that was never done before."

Sir Daniel had his answer ready.

"Yes," he said, "there be precedents thereof. In Anne of Cleves's case we have an example, and another in one Bury, which I have here in my note-book."

Then he began to read out a line or two here and there, but the words had no bearing on the case in point.

Archbishop Abbot saw clearly enough that the man was no just judge, but "a stickler for the nullity."

"I much suspected the conscience of the man," he says, "knowing him reasonable well before, both out of mine own estimation of him, and out of the judgment of my two predecessors, the Lords Whitgift and Bancroft, who held him for a man most corrupt. Yet the next day I sent unto him for his note-book, and I caused his record of Anne of Cleves to be brought to me. Reading over the latter, I found not one word tending to his present case. Good Lord! thought I, how this man doth deceive me!"

The Bury case was also utterly different from that of the Earl of Essex and his wife.

A few days after this a summons came that all the

members of the Commission were to attend the King at Windsor. Accordingly they all went down, and here many strange things took place. The Lord Chamberlain Suffolk, who, as the father of the lady in question, should have kept away, did not make any disguise of his intention to get the suit of nullity granted, by fair means or foul. In the presence of the Archbishop he used his influence with some of the commissioners, and earnestly persuaded them to give their consent to the decree. The result was that some few who had joined with the Archbishop turned over to the other side.

Then they were summoned to the presence of the King. James began the discussion by asking "How things did stand?" and Sir Julius Cæsar immediately gave the cue by saying "That Sir Daniel Dun was best able to speak unto it."

Sir Daniel therefore began to "tell a great tale," and to produce all those arguments which the Archbishop had already riddled. Abbot challenged him for abusing the King by false reports, especially as regards his two "precedents." But Sir Daniel ignored him, and then, revealing his utter dishonesty, said very warmly :

"What a disgrace this will be to my Lord Chamberlain and his daughter, if it should not now go forward !"

Dr. Abbot rebuked him sternly.

"They should have looked to that before they did begin it : we were not the men that set the matter on foot ; if it were a disgrace they put it on themselves. But," he added passionately, "must I, to save any man from disgrace, send my soul unto hell, to give a sentence whereof I saw no ground? I will not do it."

Then, seeing that he stood almost alone, and that the King was also against him, the Archbishop fell on his knees, and, with tears in his eyes, said :

"I beseech your Majesty, if ever I have done you any service, whom I do serve with a faithful heart, or may do you any service, rid me of this business."

The King was much moved, and evidently at a loss



what to do. Though he desired to see the plea of Lady Essex granted, he did not wish to carry it against the honest convictions of his bishops. He would use his influence with them, he would show them out of the depth of his wisdom that there was good authority, if not in the Scriptures, yet in the early Fathers of the Church, for the annulment of such a marriage, but if they still remained firm, he would not coerce them. That was always the way with James. He would bully, and argue, and visit those who opposed him with displeasure, but secretly he respected honest opinions honestly expressed. On this day he was "gracious and moderate." He discussed the matter frankly, and expressed his belief that the young Earl of Essex was not a proper husband for the lady. Some spell had been put upon him.

"The Earl was once purposed to have gone to Poland," said his Majesty, "to have tried whether he might be unwitched."

"I would to God we might see these things legally proved," was the Archbishop's answer.

The King was perplexed. He was afraid that if his lordship of Canterbury or his lordship of London gave their votes against the plea, it would be necessary to begin all over again with a new commission.

He admitted that he was the first to give instructions for the case to go forward. Finally he decided that they should all meet again next day at Lambeth, and if they were unanimous in their consent to the divorce, they could then pass sentence. But if not, they should put the matter off for another day, and await his further pleasure.

Upon rising from his chair, James fell to inveighing against the marriages of these young couples before they were acquainted with one another. He spoke of the evil consequences of them, and how he knew in Scotland a father who married his only child to a man against her will.

"She withstood it; yet her father forced her to marry him, and being gone home with her husband, after a very

few days she ran away from him. Her father jerked her and sent her home again, but not long after she poisoned her husband and was burnt for it."

All this happened when the King himself was in Scotland.

When James now passed out of the Council Chamber in Windsor Castle, the Archbishop followed him, and, taking him on one side, said that it was evident that it was in the Earl of Essex "*vitium animi non corporis*." His Majesty swore that he thought so too. After further speech Abbot kissed his hand and went away. He dined that day at Eton College, and Sir Julius Cæsar repeated some of the King's private words: "The Archbishop hath so adjured me to be rid of this matter that I cannot tell what to say to him." Sir Julius did not believe that His Majesty was displeased with Dr. Abbot.

But afterwards, the King coming to dinner, when his meat had waited for him on the table for more than a quarter of an hour, "he sate him down in his chair, and casting his leg over one side of it, he ate no meat for a great space of time, but sat musing himself; which every man observed."

It was said openly in court a few days later that the Archbishop had gone away with the King's displeasure, and that in future both he and the Bishop of London would be kept to their spiritual duties, and not allowed to meddle in temporal matters.

"As I came homeward from Windsor in my coach," says the Archbishop, "and all that same night, two things did run much in my mind: the one of them was, what a strange and fearful thing it was that His Majesty should be so far engaged in that business: that he should profess that himself had set the matter in that course of judgment: that the judges should be dealt withal beforehand, and, in a sort, directed what they should determine: that the like example had not been seen: that His Majesty did win himself much honour in the case of Sutton's hospital: that, notwithstanding all importunity, he had suffered the judges

to do their conscience. This strange moving to the contrary did make me marvellously suspect that it was no direct matter; and as a dutiful servant to my most gracious Majesty, I wished in my heart that His Majesty's hand might be taken off that business."

The second point agitating the Archbishop was the fact that very little had been said about the case from the point of view of divinity. It occurred to him that it would be proper to write some arguments on the subject drawn from the Scriptures, to prove that there was no authority for making such a decree of nullity, and to send them to the King. Late as it was, therefore, when he got home he sat down and wrote a discourse, which he despatched to His Majesty. This paper is still in existence, but the reader need not be troubled with it. Possibly the Archbishop was too tired to think clearly, for undoubtedly he used but feeble arguments to prove his case, and omitted those other arguments which to any honest mind were quite conclusive. It was a false move, for it gave the King an opportunity in which he delighted. James was a practised theologian, and better than his own Archbishop. He easily riddled his arguments by quoting the authorities of the Church against him, and then let his pen run away in a long and ponderous essay on the evil practices of witchcraft in blighting a man's body. "It is true that there are not precise examples of this kind to be found in the Fathers, but," said His Majesty, "it is very probable that the trick of *maleficium* had not then been put in practice in the world, and therefore not known or mentioned by them; for why not may the Devil as well find out new tricks of witchcraft (when God will permit him) as he did easily new sects of heresies? For his malice can never end until the end of time. . . . That the Devil's power is not so universal against us, that I freely confess; but that it is utterly restrained *quoad nos*, how then was a minister of Geneva bewitched to death, and *the witches daily punished by our law?*"

It is remarkable that this argument of witchcraft should

have been used to prove the cause of Lord Essex's aversion to his wife. Neither the King nor any of his commissioners had any idea at this time that the Lady Frances had been employing witch-doctors to wither her husband, and it was the last argument in the world that she herself would dare to put forward in her plea of "nullity." If we had any lingering belief in the power of enchantment it would seem a proof that poor Robert Devereux, Earl of Essex, was actually a victim of those evil charms used against him by Forman, Savories, Gresham, Franklin, and other doctors of the Black Art.

Upon the day following the journey to Windsor the commissioners met at the Archbishop's palace at Lambeth, and he read out to them the paper he had sent to the King. But he received no encouragement. "My lord of Ely sat little less than dumb, as if he had never dreamed of any such matter," though he was renowned for his theological learning. The others spoke nothing of account, and the only enlivening incident was Sir Daniel Dun's behaviour, when, "with a great deal of insolency," he challenged the Archbishop for his words to the King at Windsor. Dr. Abbot rebuked him with stern brevity, "Do not abuse the King, Sir Daniel Dun."

"I remembered," he says, "it was in mine own house, and if I had rattled him according to his deserts, my Lord Chamberlain [Suffolk] would have said it had been done for his sake; and in the progress, Sir Daniel having the King's ear, would have made things worse than they were."

When James heard that the commissioners had not yet been able to agree, he gave instructions that the case should be put off until September 18, and that the Bishops of Rochester and Winchester were to be joined to the Commission. The affair now moved slowly, though the plotting among the commissioners to gain the favour of the King and the Lord Chamberlain went on as before. Archbishop Abbot spent the summer in anxious thoughts. He had not yet received the King's



answer to his paper. But before that answer came he heard from a friend that it was accompanied with a private letter from His Majesty, "full of sharpness."

This letter was handed to the Archbishop by the Bishop of Litchfield on September 17, the day before the opening of the new session of the Commission. The Bishop of Litchfield agreed on many points with Dr. Abbot, and said that unless the Archbishop gave his consent to the separation he would never give his. He suggested that in order to obtain fuller information it would be well to call the Earl of Essex again. This apparent honesty, as a contrast to so much dishonesty among the bishops, was very pleasing to Dr. Abbot, and he then withdrew to his study and read the King's letter and papers again and again.

"I found them very sharp," he said, "and perceived by the time that they arrived unto me that they were detained until that day, that I might be overwhelmed with them on the sudden, and have no time to deliberate, before we were come the second time to sit in judgment. These things did much trouble me, so that I did sleep but a little that night. I resolved many things, and much trembling I had in my mind. . . . Methought my faithful heart to my master deserved no such sharpness."

On the next day when the Commission sat again it was proposed that the Earl of Essex should be called again as a witness. When the King was made acquainted with this proposal he sent an angry answer by the Bishop of Litchfield, whose suggestion it was, that he was strongly against it, and that he would not permit Lord Essex to be called again. The Earl had been restrained from fighting a duel with Mr. Henry Howard, and for that reason, "or otherwise instigated by the Earl of Southampton," said His Majesty, "might say something to mar the business."

This was very strange and very scandalous.

"When I went homeward," says Dr. Abbot, "I much resolved this in my heart, thinking, Good Lord! what a

case is this! Shall any truth be kept from us? Are they afraid to have all out? Do they only look to attain their own ends, and care not how our consciences be entangled and ensnared?"

The meetings of the Commission dragged on, and to the arguments of the Archbishop and the Bishop of London, who opposed the suit of nullity, there were only "shuffling and shifting answers." There were traitors at the table. "My lord of Litchfield" (who had spoken so suavely to Dr. Abbot) "with a pen did note what every man resolved, but principally my words, with a purpose to shew them to the King, as I conceived, and afterwards I found it to be so."

On the following Friday morning the Archbishop went to Whitehall, and the King, seeing him look very troubled, came and gave him his hand to kiss, and then, taking him aside to the window, asked him, "How does that great cause go forward?"

"I have no liking for it," said Dr. Abbot; and then he burst out passionately, protesting that the King should have rebuked a faithful servant who only desired to do his duty according to his conscience.

"It is nothing to me," he said, that "the Lady Frances remain wife to the Earl of Essex, or be married to another man. But I may not give a sentence where I saw no proof. I have lived fifty-one years almost, and had my conscience uncorrupted. I know not how soon I am to be called before God, and I am loath, against that time, to give a wound to mine own soul. All my grief is that your Majesty's hand is in this. . . . Your Majesty must never afterward expect true service of me, for how could I be true to him, that am false to God?"

These were honest words, and as he spoke them the Archbishop's eyes were full of tears. James was really moved. Though he was obstinate, like all weak men, he had not a hard heart, and secretly he must have known that Dr. Abbot was in the right. But he was too much under the influence of the Howards; and his desire to

please his Favourite, who had set his heart on Frances Howard, still Lady Essex, overcame his sense of justice. The Howards were watching him now. While he spoke with the Archbishop, my Lord Privy Seal, the Earl of Northampton, and my Lord Chamberlain, the Earl of Suffolk, were at the end of the gallery, watching and waiting. The King went over to them, and Dr. Abbot, who then left, could see that James was telling them what he had spoken.

Between three and four o'clock that day, after dinner, the Lord Bishop of Litchfield, that suave, treacherous man, came to Dr. Abbot at Lambeth Palace, bringing with him, from the King, a treatise on the great case, written by a Scotsman. This Dr. Abbot took, somewhat contemptuously, promising to read it. He did so as he rode in his coach to his house at Croydon, where he withdrew himself, late as it was, to avoid being troubled by other visitors.

"This treatise no way pleased me," he writes; "but I thought it the work of some hungry fellow, who lacked £ s. d. to buy food to his belly."

That night, after easing his mind by doing some household accounts for quarter-day, the sturdy Archbishop, whose indomitable courage and honesty really stir one's admiration, commended himself, and the cause that was to be settled next day, to God.

"I meditated many things in my bed: in the morning I rose early, and before day, in my study, I set down some heads, what I would speak unto. Then went I early to Lambeth, and there supplied my brief notes, digesting my matter of sentence into order."

Presently most of the commissioners came in, and the Archbishop sent for the Bishop of London, Sir John Bennett, Dr. James, and Dr. Edwards to come into his study. These were the men who were unwilling to violate their conscience at the command of the King and his favourites, and the Archbishop urged them to stand fast.

To the Bishop of London he said earnestly :

"We have three that speak first, who, I trust, will lay such a foundation in the hearts of the hearers as shall not be removed. But the other side have this advantage over us : they are seven of them, lawyers and bishops, to answer what our three have said ; and perhaps with weak men such a stream of such persons may much prevail. But let not that dismay you, my lord. Only take this course : deliver first your own meditations ; and then having taken with your pen some of the absurdities which in the sentence some of them will deliver, blast those, and let the auditors see that by you the stream is turned. Then leave it to me, and I doubt not, in Almighty God, but to batter their nullity to dust."

The Archbishop himself was uplifted by a great enthusiasm that truth would prevail against all these liars and schemers and flatterers, and his own courage was high.

"So confident was I in the honesty of the cause," he says, "and in the help of Almighty God, that I was not now afraid of ten thousands of people, but did long to be at them, as the Lord truly knoweth."

The commissioners were now waiting for the Bishop of Winchester, who strolled in between ten and eleven. It was known afterwards that he had been spending his time at Court.

"We have stayed for you two hours and a half," said Dr. Abbot.

The bishop excused himself lightly. Then came a messenger from the King. It was Sir Thomas Lake, one of the secretaries. He said "that His Majesty had sent him to them to deliver two things. One was that in their sentence they should take heed of gauling of any person."

"From the beginning of this process," answered the Archbishop, "we have ever been wary not to offend in that kind."

Then Sir Thomas Lake gave the other part of the King's message. It was that "they should not in any





From an engraving after W. Hollar.

LAMBETH PALACE.



long manner, but compendiously, deliver what they had to say."

This was a blow to the Archbishop's intentions. All the labour of the night and early morning was lost if they were to vote silently. He demanded a further explanation of this point.

Sir Julius Cæsar took it upon himself to explain.

"Yea," he said, "I know the King's mind; for I was yesterday with him, and he told me that he expected we should go no further than 'yea' or 'nay,' for of sermons there would be no end. The King told me he was promised so much."

"By whom?" demanded the Archbishop.

"I think," he said, "by your Grace."

"Not so," said Dr. Abbot. "What I said was, 'Let every man deliver his own conscience, and I will not perturb the sentence.'"

"I know the King expecteth we should say no more than 'I do like this sentence,' or, 'I do not like it,'" said Sir Julius Cæsar. "And that you know, Sir Daniel Dun, is the manner of the delegates, and not to go further."

"It is so," said Sir Daniel.

Upon this all the bishops, save the Archbishop, agreed, and said, "We were best to proceed in that manner."

They all looked now to Dr. Abbot, and he closed this discussion by saying very firmly:

"I will not be wilful; and if it be agreed upon, and it be the King's pleasure, I will obey. But look you to it; for if any man give a reason, I am no more bound than he, but that I will return the reason of my opinion and judgment."

Sir Thomas Lake was then dismissed, and the commissioners, retiring into another chamber, voted whether or not a decree annulling the marriage of Robert Devereux, Earl of Essex, and of Lady Frances Howard should be pronounced. There were five who gave their votes against a decree of nullity: the Archbishop of Canterbury, the Bishop of London, Sir John Bennett, Dr. James, and Dr.

Edwards. There were seven who pronounced in favour of the decree: the Bishops of Winchester, Ely, Litchfield, and Rochester, Sir Julius Cæsar, Sir William Button, and Sir Daniel Dun. By a majority of two votes, therefore, the sentence of nullity was carried, and my Lord of Essex became a bachelor.

The last action of his fellow-commissioners on this day, which was recorded by Dr. Abbot in a narrative so full of dramatic details, was the immediate visit of the three Bishops of Winchester, Ely, and Litchfield to the Court, "hoping to receive great thanks for their service." But the King kept them a full hour before he would receive them. "However, they sped afterward."

The conclusion of the Archbishop's narrative is his affidavit of its truth:

"This narrative is wholly written with mine own hand, and was finished the second of October 1613, being the eighth day after the giving of the sentence. And I protest before Almighty God that I have not willingly written any untruth therein: but have delivered all things fairly, to the best of my understanding; helping myself with such memorials and notes as I took from time to time, that if there were occasion, I might thus at large set down the truth to posterity, when this case shall be rung from Rome gates, or the fact hereafter be questioned.

"GEORGE CANTERBURY."

It is not an exaggeration to say that no event in the reign of James I., when there were many painful incidents, so scandalised the conscience of that part of the nation which was sober and clean in life as this divorce case. That so many bishops should lend themselves openly to the influence of the Court in a matter of fundamental importance to religion and public morality, and that they should openly seek preferment and favour by violating the elementary laws of righteousness and truth, was a shock to all good English Churchmen, and a crying offence to Catholics as well as to Puritans. Men asked themselves



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whether the bonds of marriage were to be broken in the same way as a new aristocracy was being created—by monetary bribes. On all sides men expressed their detestation of those who had pronounced the sentence, especially when payment was made for their services, such as Sir Julius Cæsar's son being made a knight, and the Bishop of Litchfield being moved to Lincoln, and the Bishop of Winchester's son being knighted also, whom "some merry fellow blighted with the name of Sir Nullity Bilson." On the other hand, there was great applause given to those few who had done their duty like honest men, and who were now suffering for the truth. It was known that the Archbishop had fallen into great disgrace, and that the King had written another "sharp letter" to him, reprimanding him severely for having voted against the sentence of nullity. "Is this the reward for truth?" men asked each other; and the King's reputation for justice had a great fall.

Then in a little while people began to suspect the hidden meaning of this divorce, and the influence which had moved the King to put pressure on the judges. It was that the wife of my Lord of Essex should be made free for another husband—a man who, having been raised from a low degree, now ruled the Court and the King. It was for Robert Carr, the flaxen-haired Scot, for whom the King had coerced the bishops, and the bishops had scandalised their flocks. This secret had been guessed by some shrewd observers months ago. "It is said that Rochester is in love with Lady Frances," was John Chamberlain's comment before the divorce proceedings were settled. But this was not blabbed on the housetops, and even some at Court were not in the secret. Lord Norris, for instance, when the case was being tried offered himself to the Lord Chamberlain as a suitor for his daughter's hand if she could get rid of Lord Essex, and if he (Lord Norris himself) could get rid of his lady, which he thought could be easily done. He did not know that Lady Frances "was so well provided." His offer, of

course, was rejected, and caused much merriment among those who heard of it.<sup>1</sup>

Towards the end of the case it was more publicly known that my Lord of Rochester had been moving Heaven and Earth, that is to say, the Church and the King, in this matter. During the sitting of the Commission in August, when the result was expected, it was observed that he stayed in town<sup>1</sup> in order, it was supposed, to get the first news of the sentence, and that then he rode immediately to the King, and showed himself passionately in favour of the Countess, "with whom a new match would be presently concluded if the old one were now abolished."

The news-gatherers heard at the same time that Sir Thomas Overbury lay sick unto death in the Tower, and afterwards, on September 15, three days before the sentence of nullity was pronounced between the Earl and Countess of Essex, they learnt that this unhappy gentleman had passed away in great agony, from a mysterious and loathsome disease. But not yet did any one guess that there was any connection between the divorce of Lady Essex and the death of that gentleman who was known to have been the Favourite's "ghost."

To Lady Essex herself the news that she was a free woman—free at last to marry the man she loved with a burning passion—was no doubt a cause of hysterical joy. After all, family influence and her lover's own power had done more than witchcraft. But she was not to be envied at this time. She had too many secrets to hide, not only from the world, but from the man who would now be her husband. Rochester had got rid of his "ghost," but she was now haunted by the spirit of that man whose dead body was a dreadful vision in the night, and whose accusing face stared at her, however bright the sun might be. And all her accomplices clamoured round her. They had to be paid for their services, paid also to keep silence. Never would she have any peace from them. She must go on paying them, though they drained her of all her riches.

<sup>1</sup> Chamberlain to Carleton, "Court and Times."

If they asked for the very clothes off her back she would not dare to refuse. There were so many of them—these poisoners and panderers and witch doctors; and all their mouths had to be gagged by gold.

Weston, the apothecary and amateur gaoler, had first to be satisfied. She gave him £180 as a first instalment.<sup>1</sup> Dr. Franklin was more exorbitant in his charges. He had already been paid heavily for his poisons. Now he desired to be kept in comfort. He must have £200 per annum for life,<sup>1</sup> and £200 to keep Rochester's love to her till they were married (even now she was afraid of losing him). He demanded other little perquisites from his "sweet daughter"—such as 2s. 6d. a day for his boat-hire, and 10s. a week for his diet. He also put in claims for friends of his. To one mercer he boasted that "I have a great friend of my lady of Essex. The Countess will bear me out in anything I do; if you have any suit wherein you may do yourself good, and I may gain by it, I will warrant you I'll get it."<sup>1</sup> Then there was Mrs. Turner, who had to be settled in life, and Dr. Savories, who wrote to Mrs. Turner threatening that if she would not give him money for trying to induce Sir Arthur Mainwaring to love her he would betray her,<sup>2</sup> and William, the apothecary's boy, and Mrs. Forman, and "the toothless maid, trusty Margaret," and Samuel Merston the musician, and Turner's man, Stephen, and the Countess's own maid, Mrs. Horne, and others, who in some way or other had been concerned in this little affair. It was surprising how many it took to kill one man!

Lady Frances Howard—the law had given her back her maiden name—was not to be envied by the other young ladies of England, who presently began to hear great things of all the preparations for a new marriage. She had to keep a smiling face when Robert Carr came to court her in the eyes of the world, and when many great people expressed their happiness in seeing this tender love-match. No doubt at times she smiled triumphantly, as she thought

<sup>1</sup> State Trials.

<sup>2</sup> Domestic State Papers.

of all the dangers and difficulties she had overcome in order to achieve this great ambition which was now to be accomplished ; but there must have been many moments of torture and pain in her days and nights when she remembered that if one of those harpies who clamoured for reward whispered a word of her secret to one of her enemies, she would not be safe from that law which had now set her free.



## CHAPTER X

### THE FAVOURITE TAKES A WIFE AND A NEW NAME

VISCOUNT ROCHESTER was very grateful to his master for his powerful assistance in the great divorce case. Before the sentence was given in favour of Lady Essex he had an opportunity of proving his gratitude in a practical and substantial way. The Treasury at this time had almost run dry. All expedients to raise money without the aid of Parliament were of but trivial account when compared to the vast expenditure. Recusants were squeezed till they had no juice, and their estates were forfeited; baronetcies were offered for sale; the King mortgaged the Crown lands; but these, and the ordinary sources of revenue from taxes and customs, could not prevail against the vast extravagance of the King himself and the wholesale corruption of the officers of State.

James, who still continued to spend money as though he had all the world's wealth, was sometimes so heavily in debt that the tradespeople of the Court dunned him as though he were some spendthrift gentleman who had wasted his father's patrimony in riotous excess. On one of these occasions it was Robert Carr who came to the rescue. Mr. John Chamberlain writes the story to Sir Ralph Winwood, in a letter dated May 6, 1613.

"I doubt not but you have heard," he says, "what a noble Part and Example my Lord of Rochester shewed here of late; for we being at a dead lift, and at our Wits end for want of Money, he sent for some Officers of the

Receit, and delivering them the key of a chest, bid them take what they found there for the King's use, which they say was four- or five-and-twenty thousand Pounds in Gold."<sup>1</sup>

The generosity of the action was not without guile. It was, we can hardly help believing, a bribe to the King's majesty to use his personal influence in the divorce proceedings, which were then put forward. Five-and-twenty thousand pounds was not too great a price to pay for Lady Frances. Carr, too, was shrewd enough to know that such a gift, relieving the King's immediate and desperate necessity, would be returned tenfold. He was not mistaken. Before the year was out he had grants of money and land which made him one of the richest men in the country. In November of that year his income was calculated by Chamberlain. "Either his comings in are very great, or else he is a good husband and careful keeper; for it is observed that within this twelve months he had made show of above £90,000." According to the money values of that age it was a prodigious sum. In the same month of November he bought a thousand pounds' worth of land from the King, formerly belonging to the Nevilles and Dacres in Westmoreland, and forfeited to the Crown. He was to pay another sum of £20,000 immediately, £10,000 was to be deducted from sums lent to the King, and he was to pay other instalments for a fifty-years purchase. It was rumoured that the possession of this land would lead to a new title for him, and that he would shortly be created Earl of Westmoreland.

It was known that the King intended to raise him higher. His Majesty's speech at the Council table, when it was thought that Overbury's imprisonment was a slight on the Favourite, was remembered. He had then declared the intensity of his affection for my Lord of Rochester, and hinted that before long the world would see new proofs of that.

A new honour was conferred upon him in October, when, at the King's command, he was admitted to the Scottish

<sup>1</sup> "Winwood's Collection of State Papers."

Council. A few days later, on November 3, he was granted the Barony of Brancepeth, in the bishopric of Durham, with many rich woods and lands. On November 11, with great ceremony and pomp, he received his highest honour, and was created Earl of Somerset.<sup>1</sup> Under this name of my Lord of Somerset, Robert Carr, who only seven years before was a needy young squire in the service of Sir James Hay, without money, land, or title, was to be known henceforth; and it is under this name that he has an infamous renown in history.

In this month of November nothing was talked of in the Court and country but the preparations for the great marriage between the new Earl and Lady Frances. The Queen, who, remembering the relations between that lady and her lamented son, as well as the quarrels between the young Prince and the Favourite, had shown her aversion to this marriage, was now won over, by the King's persuasion, and promised her presence at the ceremony. Curiously enough, there were two Robert Carrs to be married within the same week, one the Favourite, the other Robert Carr, Lord Roxburgh, who was affianced to Mistress Drummond of the Queen's Privy Chamber. The King was to bear the cost of the first, with the exception of the dresses, and the Queen was to pay for the second, which was to include a masque of maids, "if they may be found." She would also pay for the bride's marriage-bed, but not more than £500, "for she saith her maid Drummond is rich enough otherwise, as well in wealth as in virtue and favour."<sup>2</sup>

Sir Francis Bacon, who had just been made Attorney-General, and was anxious to secure my Lord of Somerset's favour, but sorry that he stood so close to the King, announced that he would prepare a special masque to honour this marriage. It would cost him nothing less than £2,000; and though he was offered some help by his fellow-lawyers, specially by Sir Henry Yelverton, the Solicitor-General, who wished to send him £500, he would not accept

<sup>1</sup> Domestic State Papers.

<sup>2</sup> Chamberlain to Carleton, "Court and Times."

it, but preferred to do all himself. "Marry," said the critics, "his obligations are such, as well to His Majesty as the great lord, and to the whole house of Howard, as he can admit no partner."<sup>1</sup>

Francis Bacon, whose great genius gives the most golden name to the reign of James, was not yet at the summit of his career. A man of splendid intellect, but of insatiable ambition, which weakened his morality, he was still scheming and flattering, as he had done from the beginning of his career. But at this time he was beginning to enjoy the great wealth which came to him, purely by means which would afterwards lead to his tragic downfall, and was living in great state at his house at Gorhambury, near St. Albans. He indulged in an almost prodigal hospitality, and at Christmas, when he was to have this costly masque in honour of the Favourite, he was also to feast the whole University of Cambridge, and was sending warrants to all his friends far and near to furnish him with venison to bestow on the colleges.

There were some who suspected that an Attorney-General could hardly live in such princely style on his official salary alone. "He carries a great port in his train," writes Mr. John Chamberlain to Sir Dudley Carleton, "as well as in his apparel and otherwise, and lives at a great charge, and yet *he pretends he will take no fees, nor intermeddle in mercenary causes, but wholly apply himself to the King's affairs.*"

James himself gave very little attention to public affairs during these weeks before Christmastide, and was wholly taken up with the arrangements for his Favourite's wedding. He was, however, pinched, as usual, for money, and gave orders for the further sale of Crown lands. £17,000 were due in the first week in December on this account, and were intended to satisfy some urgent claims, but the King reserved £10,000 to buy jewels for the bride, and £7,000 for his followers, who had not been getting their "wages" lately. There were many humbler people at Court who

<sup>1</sup> Chamberlain to Carleton.



were suffering from this general dearth of money. The very guard for the King's person, and his post-rider from Royston were unpaid.<sup>1</sup>

The marriage of the Earl of Somerset to Lady Frances, the preparation for which had filled the newsletters for several weeks, took place at last on Sunday, December 26, at Whitehall. The King and Queen were present, with the great lords and ladies of the Court, who, though many of them hated this Scotsman with the yellow hair, who was first in the King's affection, crowded round him now with obsequious lip-service. And though many of them in private chambers had repeated scandalous stories about Lady Frances, and had expressed their abhorrence of that trial which had annulled her first marriage, they now came in rich dresses, and with false, smiling faces, to pay her compliments, and load her with their presents. But when the bride appeared all in white, with her hair down her back, the symbol of innocence and virginity, there were some who laughed and winked in corners, astounded at the audacity of this young lady, whose reputation was so notorious. She was led to the chapel by her "bridemen," the Duke of Saxony, who had come over on a visit, and her great-uncle, the old Earl of Northampton, to whose craftiness and evil plotting she owed so much.

One's imagination revolts at all the false glamour of this marriage between a man and woman who shared many guilty secrets; and the thought of Sir Thomas Overbury, the poet and scholar, whose body lay cold and still in the chapel of the Tower, thrusts itself upon one. But no one who took part in the ceremony allowed any shame to appear on their smiling faces. Dr. George Montaigne, the Dean of Westminster, preached the marriage sermon, and indulged in many sanctimonious phrases. He was filled with admiration for the virtues of this young couple, so blessed in possessing the King's gracious friendship and favour. He must also say how much the world must be edified by the nobility of the bride's sister, the

<sup>1</sup> Domestic State Papers.

Countess of Salisbury, and by the "Mother Vine," as he was pleased to call the Countess of Suffolk—that greedy, vicious, corrupt woman.

Dr. James Montague, Bishop of Bath and Wells, and Dean of the Chapel Royal, tied the marriage knot; and it was observed as a strange thing "that the same man should marry the same person, in the same place, upon the selfsame day (after six or seven years, I know not whether), the former party yet living."<sup>1</sup> The only difference was that the King gave her away the first time, and now her father, the Earl of Suffolk. According to the usual custom at weddings, the King and Queen tasted wafers and hippocras.

After the ceremony the night was spent in masquing and dancing. The masquers were the Duke of Lennox; the Earls of Pembroke, Montgomery, Dorset, and Salisbury; the Lord Walden, with his three brothers, Sir Thomas, Henry, and Charles Howard; Lord Scroope, Lord Norton, and James, now Lord Hay, in whose service Robert Carr had first come to Court.

The masque, which was written by Thomas Campion, was presented in the Banqueting House at Whitehall. A theatre with pillars had been fitted up at one end of the hall, and the lower end was a triumphal arch "passing beautiful."

"The Sceane itself," writes Campion, who describes his own masterpiece, "(the Curtain being drawne) was in this manner divided: On the upper part there was formed a skye with Cloudes, very arteficially shadowed. On either side of the Sceane below was set a high Promontory, and on either side of them stood three large pillars of Golde: the one Promontory was founded with a Rock standing in the Sea, the other with a wood. In the midst between them appeared a Sea in perspective with Ships, some cunningly painted, some arteficially sayling. On the first part of the Sceane, on either side was a beautiful garden, with six seates apeace to receave the Maskers: behinde

<sup>1</sup> John Chamberlain to Mrs. Alice Carleton,



The portraiture of Robert Carr Earle of Somerset / becoming Rochester, Knight of the most  
 noble order of the Garter &c. / and of the Lady Francis his wife . . . . .  
 From a print in "Truth Brought to Light."

ROBERT CARR AND LADY ESSEX.





them the mayne Land. And in the middest a pair of Stayres made exceeding curiously in the forme of a Schalop shell. And in this manner was the eye first of all entertained."

When the King and Queen, Charles, Prince of Wales, and the great company had taken their seats, four of the noble masquers, dressed as squires, came on to the scene, and after bowing low to their majesties, recited some very dull and tedious speeches. The gist of the discourse was that certain knights were on their way to the nuptial feast when they were overtaken by a storm made by :

Deformèd Error, that enchanting Fiend  
And wing-tongued Rumour, his infernall Friend,  
With Curiositie and Credulitie  
Both Sorceresses, who in hate agree.

"Towards the end of this speech," writes the self-complacent poet, "two Enchanters and two Enchanteresses appeare. *Error* first, in a skin coate scaled like a Serpent, and an antick habit painted with Snakes, a haire of curled Snakes, and a deformed Vizard. With him *Rumour* in a skin coate full of winged Tongues, and over it an antick robe ; on his head a Cap like a Tongue, with a large pair of Wings to it.

"*Curiosity* in a skin coate full of eyes, and an antick habit over it, a fantastick Cap full of Eyes.

"*Credulity* in like habit painted with Eares, and an antick Cap full of eares.

"When they had whispered awhile, as if they had rejoiced at the wrongs which they had done to the Knights, the Musick and their Daunce begun ; straight forth rusht the four Windes confusedly ; the *Eastern Winde* in a skin coate of the colour of the Sun-rising, with a yellow haire, and wings both on his shoulders and feete ; the *Western Winde* in a skin coate of dark crimson, with crimson haire and wings ; the *Southern Winde* in a dark russet skin coate, haire and wings suitable ; the *Northern Winde* in a grisled skin coate with haire and wings accordingly.

"After them, in confusion, came the foure Elements : *Earth* in a skin Coate of grasse greene, a mantle painted full of Trees, Plants, and Flowers, and on his Head an Oke growing ; *Water* in a skin Coate waved, with a mantle full of Fishes, on his head a Dolphin ; *Ayre* in a skye coloured skin Coate with a mantle painted with Fowles, and on his head an Eagle ; *Fire* in a skin Coate, and a mantle painted with flames ; on his head a cap of flames, with a Salamander in the midst thereof.

"Then entered the four parts of the Earthe, in a confused manner, *Europe* in the habit of an Empresse, with an Emperiall Crowne on her head ; *Asia* in a Persian Ladies Habit with a Crowne on her Head ; *Africa*, like a Queene of the Moores, with a Crowne ; *America* in a skin Coate of the colour of the juice of Mulberries, on her Head, large round brims of many coloured feathers, and in the midst of it a small Crowne.

"All these having daunced together in a strange kind of confusion, past away by foure and foures.

"At which time *Eternitie* appeared in a long blew Taffeta robe, painted with Scarres, and on her head a Crowne.

"Next came the three Destines, in long robes of white Taffeta, like aged women, with Garlands of Narcissus Flowers on their Heads, and in their left hands they carried distaffs, according to the description of Plato and Catullus, but in their right hands they carried altogether a Tree of Golde.

"After them came Harmony with nine Musitians more in long Taffeta robes and caps of Tinsell, with Garlands guilt, playing and singing this Song :

*Vanish, vanish, hence confusion  
Dimme not Hymen's goulden light  
With false illusion.  
The Fates shall doe him right  
And faire Eternitie*

*Who pass through all enchantments free.*

After several verses of this poverty-stricken poetry, the

three Destinies brought the golden tree towards Queen Anne. Having been rehearsed in her duty, Her Majesty plucked a branch from the tree and gave it to a nobleman in attendance, who passed it on to one of the squires. The following song was then sung by the chorus :

*Goe happy man like an Evening Starre  
Whose beames the Bride-groomes well-come are,  
May neither Hagge nor Feind withstand  
The pow're of thy Victorious Hand,  
The uncharm'd Knights surrender now  
By vertue of thy raised Boughe.*

*Away Enchantments, vanish quite,  
No more delay our longing sight  
'Tis fruitless to contend with Fate,  
Who gives no pow're against your hate,  
Brave Knights, in courtly pomp appeare,  
For now are you long lookt for heare.*

"Then out of the ayre," continues Mr. Campion, "a cloude descends, discovering six of the Knights alike in strange and somptuous atires, and withall on either side of the Cloude on the two Promontories, the other six Maskers are sodainely transfformed out of the pillars of golde, at which time, while they all come forward to the dancing place, this Chorus is sung, and on the sodaine, the whole Sceane is changed, for wheras before all seemed to be done at the sea and sea coast, now the Promontories are suddenly removed, and London with the Thames is very artefeecially presented in their place.

#### THE MASKERS' DAUNCE

*Let us now sing of Love's Delight,  
For he alone is Lord to-night,  
Some friendship betweene man and man prefer,  
But I th' affection betweene man and wife.*

*What good can be in life  
Whereof no fruites appeare,  
Set is that Tree in ill houre  
That yields neither fruit nor flowre.*

*How can man Perpetuall be  
But in his own Posteritie?*

"Straighte in the Thames appeared four Barges with skippers in them, and with all this Song was sung :

*Come ashore, come merrie mates  
With your nimble heeles and pates :  
Summon ev'ry man his Knight  
Enough honour'd is this night.*

*Now let your Sea-borne Goddess come,  
Quench these lights and make all dombe.  
Some sleepe, others let her call,  
And so Good-night to all, good-night to all.*

"At the conclusion of this Song arrived twelve Skippers in red Capps with short Cassocks and long Sloppes, wide at the knees, of white Canvas, striped with crimson, with Gloves and Pumps, and red Stockings; these twelve daunced a brave and lively daunce, shouting and trumping after their manner."

In spite of this doggerel and these fantastic tomfooleries, it is interesting to read the details of one of those old masques in which the Court delighted in the reign of James. But John Chamberlain, in his letter to Mrs. Alice Carleton, says : "I hear little or no commendation of the masque made by the Lords that night, either for device or dancing, only it was rich and costly."

What strange thoughts must have passed through the minds of that bride and bridegroom, who, sitting next to the King and Queen, watched the spectacle in their honour !

One can imagine Robert Carr, magnificent in silk, with many jewels, stroking his yellow hair, and staring gloomily at the pantomime. And Lady Frances, now Countess of Somerset, was she moved at all by any emotion which made her face go white, when the "Enchantress" and "Enchantresses" appeared, with "deformèd Error" and "wing-tongued Rumour" and those two witch-hags, "Curiositie and Credulitee"? Once or twice she must have thought of her "sweete father," old Dr. Forman, with his spells and incantations. And his successors, Gresham,



Savories, and Franklin, who had summoned evil spirits to torment and wither the body of the Earl of Essex, her boy-husband ; they also, surely, were remembered by her as she sat silent, watching that masque with its mummeries. If she had any imagination—and we know that she was morbid and hysterical—it must have been then that the ghost of Thomas Overbury stood between her and this pageant on the stage, gazing at her with dreadful eyes, so that she could hardly keep back the shriek that would startle all this great company and reveal the horror in her soul.

But all the while she had to smile and smile, and play the innocent maid with the loose-flowing hair. Afterwards, when the presents were shown, she would recover herself, and those bright eyes of hers would glitter when she looked at all the rich and rare things which had been sent by friends and flatterers.

Sir Ralph Winwood, who had been haunting the Court, and offering every service to my Lord of Somerset, in the hope of getting the secretaryship, which was still vacant (and likely to be filled up, as, without Overbury, the King and his Favourite were unequal to the business), had been very handsome in his gifts. A plain man—plain of looks and so plain of speech that he was thought to be too honest for the post he coveted—he came to the marriage ceremony in a sober dress, that contrasted with the magnificence of the other courtiers. He wore a doublet, hose, and cloak, all of deep black, and without any kind of gold, silver, or embroidery, though the suit cost him over £80.<sup>1</sup> But this man in black, who looked like a Puritan, and who, one day, would not be thought of without a shudder by Frances, Countess of Somerset, had bought a costly gift for her. It was a basin and ewer, weighing 225 ounces, and of such excellent workmanship that the goldsmiths had offered twenty shillings an ounce for it. Sir Thomas Lake, who was also hankering after

<sup>1</sup> "Which I write," says Chamberlain, "that you may see how unreasonably things have risen here, and what a changeable world we live in."

the secretaryship at this time, and who afterwards, because of his hatred for Somerset, was the first patron of a young gentleman named Mr. George Villiers, gave six "goodly candlesticks" that cost over a thousand marks. The City, the Merchant Adventurers, the East India Company, and the farmers of the Customs all sent presents of plate of great value, and in return the Lord Mayor and Sheriffs were sent some rich gloves by my Lord of Somerset. Sir Robert Cary and Sir Robert Mandell hit upon a novelty in the way of wedding presents, and gave a fire-shovel, tongs, irons, "creepers," and all the furniture of a chimney-place, in silver. Another gentleman gave a cradle of silver for "sea coal." Sir Fulk Greville (afterwards Lord Brooke) gave a cup of gold; Sir Charles Wilmot a warming-pan of gold; the Countess of Shrewsbury, just liberated from the Tower for her complicity in Lady Arabella's escape, a basin and ewer, two pots, and other vessels, of gold. The Lord Chief Justice Coke, who one day was to have this bride and bridegroom before him in a crowded court on a trial for their lives, was more economical in his gifts, which were a basin and ewer of silver-gilt. His wife, Lady Hatton, who retained her own name and quarrelled violently and continually with her lord, whose temper was as ferocious as her own, gave a cup worth four-score pounds. Charles Howard, Earl of Nottingham and Lord Admiral, the old hero of the Armada defence, and now the worst Sea Lord that ever let the King's ships get rotten, gave a "very rich basin and ewer of gold, set with precious gems," that had been given to him, curiously enough, by the King of Spain.<sup>1</sup>

Sir Arthur Ingram, a young gentleman with a very evil reputation, but patronised by my Lord of Somerset, gave a complete set of kitchen utensils in silver, besides two pearls to the bride that cost him £300. But the noblest presents, apart from the King's jewels, which had cost £10,000, came from Lord Privy Seal, the Earl of Northampton. That old villain whose letters to the Lieutenant

<sup>1</sup> It was afterwards found that this was not pure metal.

of the Tower would convict him any day of being an accessory to murder, was certainly generous with his wealth. Besides gold plate to the value of £1,500, he gave a sword to the bridegroom, with a hilt and scabbard of gold, curiously wrought and enamelled. The workmanship alone cost £100. The Earl of Salisbury, the bride's brother-in-law, gave a set of hangings that cost his father £1,500, and another set that cost £800. "The presents, indeed," writes John Chamberlain, who supplies these details, "were more in value and number than ever, I think, were given to any subject in this land. It were too long, neither could I, if I would, set down the tenth part."

The marriage festivities did not end on that night when Frances Howard having got rid of one husband gained another. They lasted, indeed, for more than a week, so that every one must have been weary of masques and pageantry. Ben Jonson supplied one of the masques, which was so much liked by the majority that it was performed a second time at Court. It was called "The Irish Masque," and was not pleasing to some, who thought this burlesque of Irish characters and manners would exasperate that nation by making it ridiculous.

On New Year's Day there was a tourney in the tiltyard at Whitehall, where, seven years before, young Robert Carr, in a similar pageant, had fallen off his horse before the King. James Hay, whose shield he had carried that day, was one of the knights in this new tournament, which was designed to do honour to that same young man who, having been picked up from the ground, now, after these few years, sat next to the King, and received the flattering homage of the greatest nobles! Some of those noblemen who had utterly despised the young Scot when he had first appeared at Court, rode in the tourney, and carried his colours of green and yellow, or the colours of his bride, of murrey and white. Among these were the Duke of Lennox; the Earls of Rutland, Pembroke, Montgomery, and Dorset; the Lords Scroope, Compton, North, Hay, Dingwall, and Walden; Sir Henry Cary, and that ingenuous

nobleman, Lord Norris, who had offered to get rid of his wife in order to marry the Countess of Essex, if she could get rid of her husband.

A day or two later the Lord Mayor was sent for by the King, who told him that it was his good pleasure that he (the Mayor) should entertain the newly married couple. The Right Honourable the Lord Mayor, being an honest man, and knowing how scarce money was at this time, did not at all appreciate the suggestion. He pleaded that his house was too small to receive them. James, however, did not find this a good and sufficient excuse. He said that the Lord Mayor might get the biggest hall in the City. There was no means of opposing such a Royal command, and a Council being called, it was decided to fulfil it, at the charge of the City, the Merchant Taylors' Hall being chosen for the entertainment. Four days later, therefore, the Court left Whitehall, and proceeded along that route by the Strand and Cheapside, where so many other processions have gone since those days, to receive the hospitality of the City fathers. It was a torchlight pageant, and all the great nobles rode on horseback, well mounted and richly arrayed; while the ladies, among whom were the bride's mother, the Countess of Suffolk, and her sister, the Countess of Salisbury, drove in coaches. The bride had been given, before this, a splendid new coach, but my Lord of Somerset had not four horses which he thought worthy of being harnessed to such a chariot. On the Sunday night, therefore, word was sent to Sir Ralph Winwood, the man in black, begging him to lend four of his, for it was known that, in spite of his Puritan airs, he was the owner of good horseflesh. Sir Ralph saw an admirable opportunity for currying favour with the great lord from whom he hoped to get the secretary's place, and he behaved like a courtier. "It was not for such a lady," he said, "to use anything borrowed." On the following day, therefore, he presented them to the Earl of Somerset, "who made some difficulty at first to receive them as a gift, but only as lent for this solemnity





From an old print.

CHEAPSIDE.



going through the City ; but in the end took them in very good part."<sup>1</sup>

The Lord Mayor was not niggardly in his hospitality though it had not been voluntary, and the evening at the Merchant Taylors' Hall began with a supper, at which there were congratulatory speeches, after that a play and a masque, and after that a banquet. Two great meals in one evening seem excessive for the City, and must have been a severe strain upon the constitutions of ladies and gentlemen who had already been feasting for a fortnight.

The bride and bridegroom returned to Whitehall at three in the morning. On the morrow there was another night of revelry, for it was Mr. Attorney Bacon's masque, and he spared no cost to entertain the Lord of Somerset and his lady, knowing well enough that his own fortune depended on the favour of this man, whom in his heart he must have despised as an ignorant, unlettered Scot, utterly without a right to be, as he was in all but name, the Prime Minister of England.

The end of the Christmas and marriage junketings came on the following Friday, when the King set out from London with a train of coaches for his rural palace of Royston. Even he must have been satiated with all these peepshows and pageantries, though they were dear to his heart. And the Privy Councillors, who had to conduct the business of the kingdom, must have rejoiced to have done with this fortnight of revelry, and to begin the new year in quietude.

As for the Earl and Countess of Somerset, whom we have known as my Lord of Rochester and the Lady Frances, it is difficult to say with what feelings they heard the bells ring in that New Year when they would start a new life as husband and wife. Whether it was with a sense of intoxication at having succeeded in the ambition of their guilty passion of love, and at having enjoyed an almost royal triumph of homage and flattery from all the great ones of the Court, may be doubted. After the first exultation, when, by scheming and subtle bribery, they

<sup>1</sup> Chamberlain, "Court and Times."

had won that notorious case of divorce; when, by treacherous breach of friendship, Carr had kept Sir Thomas dumb in the Tower, so that he could not blurt out secrets which would have made that divorce impossible; and when Lady Frances, having bewitched her lover and blighted her husband's love, and taken more deadly precautions against Overbury's revelations; when both of them had joined hands and become man and wife, with the blessings of the King and the flattering applause of the whole Court, then perhaps they had cooled down, and felt the lassitude that comes after great excitement. Not yet, if we can get the truth from all the evidence, did Robert Carr know the deadly sin of the woman at his side. He still knew nothing of all those strange people who had got this girl in their clutches, and who were already blackmailing her under threats of revealing those incantations and witcheries which had preceded the divorce. It is almost certain that he knew nothing of those seven deadly poisons provided by Franklin, of the poisoned tarts which had gone from this girl's house to the Tower, or of the fatal drug given by the apothecary's boy to his former friend. If that were so, Lady Frances had to lie to her husband as well as to the world. When she went to bed she must have prayed, if ever she prayed, that she might not cry out dreadful things in her sleep. She must have hidden gold from her husband with which to pay those accomplices who called at inconvenient hours. She must have racked her brains for plausible excuses to explain her friendship with these queer people. All that was harassing to a woman's soul. There could be no peace for her with so many black secrets to bury in the past, which was only yesterday.

And Robert Carr himself was not without anxiety. Overbury was gone—the man who had been his right hand, who had read all his despatches and answered them, who had been his spy and his private counsellor, whose quick wit was of very ready help to find a way through all the tortuous paths of a courtier's progress and through all the traps set by his enemies. It had been necessary to get rid



of Overbury for a time, because of his deep aversion to the lady, and because of his growing arrogance. But in the days to come my Lord of Somerset must have wished often that he could call back his former friend from the great halls of silence, and hear once more his voice of counsel and warning, or count again upon his brilliant intellect, his unflagging industry, his masterly gift of clerkship.

Yet any fears that may have puckered his high forehead at times may have been dispelled at the thought of his proud position. And truly when one thinks of Carr's place in the Court at this time, his career seems dazzling in its meteor-flight. Seven years before he was a hanger-on at Court, one of those Scots adventurers who came down South with empty stomachs, empty purses, and threadbare suits—a gentleman's gentleman. At the best he might have hoped to become one of the gentlemen flunkeys who waited in the doors of ante-chambers and took bribes from the magnificent nobles who thronged into the Presence, and schemed and flirted and played the fool in the galleries and courtyards of Whitehall and St. James's. But by a happy chance, and by no other merit than a handsome face, a good leg, a Scots burr, and a modest bearing, he had risen from poverty to vast wealth, from insignificance to supreme power. Men who had inherited great titles, whose fathers and forefathers had been the counsellors of kings, who had in their own veins the Blood Royal, who ruled great provinces of England, cringed before him, and were eager to serve him by flattery, and were afraid of his frown or whispered word. He had overcome every obstacle and every enemy. Fate itself had been on his side. The Heir to the Throne had been jealous of his influence with the King, and jealous of his love for the beautiful girl who had put her spell upon them both. His enmity was the most dangerous thing for Carr to encounter. Yet a glance from his blue eyes had stolen the Prince's mistress away, and a cold caught in a tennis court had removed the Prince himself for ever. The Queen had hated him, and the Queen's gang, with proud Pembroke as the leader. But

the Queen had come to his wedding, with a gracious smile on her fat face, and Pembroke had broken a lance in the tiltyard wearing the Favourite's livery of murrey and gold.

The Howards had tried to keep him down. They had objected to this young man stealing away their patronage. But he had gained the friendship of one of that great family, old Northampton, the plotter, and by this means he had driven a wedge into the solid phalanx of that family which ruled the Court. Then he had won the daughter of the Howards, and had allied himself in blood to them. He had used them, through their daughter, for his own ambitions, and his influence, with theirs, had proved irresistible. And he was their master, rather than their servant. Through these seven years he had held the King's affections. The King loved him "more than any man living." Great lands had been given to him and great offices. From plain Mr. Carr he had risen to knighthood, to the Privy Council, and to the peerage, until, as one of the earls who were the princes of the realm, he was equal in rank to the proudest peers of England.

All the patronage of the Court flowed through his hands. All the secrets of State at home and abroad were brought first to his ears. He was not only the King's Favourite and Privy Councillor, but the First Minister of State. With his hold upon the King, and with his alliance by marriage to the greatest House, who now could stand against him? He was not only the First Favourite reigning by personal supremacy. He was the head of a system. His father-in-law was Lord Chamberlain and Lord Treasurer. His wife's great-uncle and his own secret ally was Lord Privy Seal. Charles Howard, Earl of Nottingham, was Lord High Admiral. A dozen other Howards held places of honour round the King. All this might well make an adventurer like Carr feel secure and supreme.

Yet the ghost of Sir Thomas Overbury was not to be forgotten, nor those words which he had written from the Tower:

*"I have provided that whether I die or live your Nature shall never die, nor leave to be the most odious man alive."*

## CHAPTER XI

### THE PARLIAMENT OF LOVE

THE Earl of Somerset took Sir Baptist Hicks's house at Kensington, and there settled his lady for a time.<sup>1</sup> But her ladyship was not in good health for some while after her marriage, and later on she was moved to Chesterford Park (near Theobalds), where the King was entertained for a night.<sup>2</sup> Afterwards Somerset took a house for her at Isleworth, in order to be near Dr. Burgess, one of the Court physicians.<sup>3</sup> No one could give a name to Lady Somerset's illness; but we who know the secrets which tormented her may guess that it was a mental rather than a physical trouble. It was noted by observers that her "good lord" was very tender in his care for her. The King also was anxious, and gave many proofs of his affection.

The year had begun with a great flood, followed by one of the hardest frosts remembered by those who had the longest memories. The Thames was frozen over, and then there were heavy snowstorms, so that Mr. Chamberlain writing on February 26 to Mrs. Alice Carleton says that there was not one day during the preceding three weeks in which some snow did not fall, "and Sunday last it began at seven o'clock in the morning, and it never ceased till Monday after nine at night, so that it lay very deep." This caused the posts to be delayed, much to the annoy-

<sup>1</sup> Domestic State Papers.

<sup>2</sup> Chamberlain to Carleton.

<sup>3</sup> "Court and Times."

ance of many great people in the country, who at this time were anxious for news from the town and Court. For the year had begun with great excitements, and the writers of newsletters were kept very busy driving their quills. In the first place, there had been an epidemic of duels or attempted duels. This had begun in the autumn with a duel between Sir Edward Sackville and Lord Bruce, in which the latter was mortally hurt. Lord Norris and Sir Peregrine Willoughby, Lord Chandos and Lord Hay, the Earls of Rutland and Montgomery, and Lord Essex and Mr. Henry Howard were among the gentlemen who had challenged each other. The King, who, to his credit, was always a peacemaker, succeeded in stifling some of these quarrels; but when others cropped up, ending in serious encounters, he issued a decree against duelling, which was to be very sternly enforced.

But at Court there was more serious cause of excitement. Sir John Digby, afterwards Lord Bristol, our Ambassador at Madrid, had come over unexpectedly, carrying grave news, which could not be committed to the post. Some time before he had been shocked and startled to discover that certain great people in England were receiving pensions out of the Spanish Treasury, and that the secrets of the Privy Council were being divulged to the Ministers of Philip III. at Madrid. Digby himself had many spies, and found it easy enough to get secret information of Spanish diplomacy, and even copies of despatches sent from their Ambassadors to England and elsewhere. But he was horrified to learn that the same facility for getting State secrets prevailed at home, and that regular salaries were paid for such services. After many attempts he at last succeeded in getting some of the names on this pension list; and among them were, to his consternation, the Earl of Northampton, Lord Privy Seal, Lady Suffolk, the wife of the Lord Chamberlain, Sir William Monson, Admiral of the narrow seas (and brother to the Master of the Tower Armoury, whose acquaintance we have already made), and Mrs. Drummond,



now Lady Roxburgh, the Queen's Lady of the Bedchamber, and her closest confidante.<sup>1</sup>

It was a painful duty of Digby's to give this list to James in his private chamber at Whitehall. It was a staggering revelation to the King that those who were closest in his councils were not to be trusted. That his Lord Privy Seal should be in the pay of Spain was a scandal so great that the King himself would suffer if it ever became known to the public. Northampton sat next to him at the Council board, he put the Great Seal to all the Royal warrants, he was familiar with the very soul of the Sovereign. It is an extraordinary proof of the weakness of James that he did not disgrace such a traitor, but allowed him to retain his high office, and sit as usual in the Council Chamber. Nor did Thomas Howard, Earl of Suffolk and Lord Chamberlain, lose any favour because his wife was on that list of paid spies. James's only defence against this breach of trust and honour was to draw closer to the Favourite, whose name was not among the Spanish pensioners. The Earl of Somerset, though he had been the ally of Northampton in his Spanish policy, had kept his hands clean, and James felt now, more than ever, that he was an honest and faithful friend. The members of the Privy Council were allowed to discuss public business as usual, and there is no record that any word fell from the King's mouth to show that he had lost his confidence in their secrecy and fidelity. But upon all points of high diplomacy, and upon all secret matters, James reserved his judgment and concealed his opinions until he had discussed them with his Favourite.

The Spanish Ambassador in London, writing home in the autumn, before Digby had arrived with his list, but not before he had sent a grave warning, said that "Viscount Rochester, at the Council table, sheweth much temper and modesty, without seeming to press or sway anything, but *afterwards the King resolveth all business with him alone.*"<sup>1</sup>

<sup>1</sup> State Papers : Spain,

But although Robert Carr, now Earl of Somerset, had not touched Spanish gold, he was still under the influence of the old Earl of Northampton, who shared those dark secrets about Overbury's imprisonment and the early intrigue with Lady Frances, and who had made a tool of him since the first days of their friendship. Allied now by marriage to the House of Howard, it was impossible for him to thwart their policy, which at this time, as pensioners of Spain, was in favour of the proposed marriage between Prince Charles and the Infanta. The marriage of the heir was still the subject of strife and diplomatic intrigues, as it had been during the life of young Prince Henry. Indeed, most of the old negotiations with foreign Courts had been resumed with Charles in the place of his lamented brother. The proposal to arrange a match with the French Princess Christine was keeping Sir Thomas Edmonds busy in Paris, and was supported by a powerful party at home. The Duke of Lennox and Lord Hay were among its ardent advocates, and it was on this account that they quarrelled openly with the Favourite, whose influence was against them. Carr, to call him by his old name, treated them both with arrogance and insolence. The days had long gone by, if counted by Royal favours, when he had been a hanger-on of Hay's, and had carried his shield in the tourney.

Eager to have the glory of arranging the Spanish contract, my Lord of Somerset endeavoured to get into close relation with the Spanish Ambassador in London, who had come over to England with the special object of winning James over from his alliance with France and the Protestant powers.

This gentleman, Don Sarmiento, afterwards known as Count Gondomar (by which name he is more familiar, and may now be called), was one of the most remarkable characters at the Court of King James. He was a brilliant, witty, sociable man, with the most charming and winning manners, and with an admirable and unfailing tact. The King was drawn to him immediately, because he could

tell good stories, and, still better, could listen with an apparently lively interest to the King's own gossip of the hunting-field. The ladies had a great affection for him, because he was good-looking and gallant, and they would wait on the balcony to wave their handkerchiefs to him, or kiss their hands, when he passed in his coach down Drury Lane. But underneath the suavity and gallantry of the courtier there was a very shrewd and strong character. He had a cool head, an imperturbable courage, and fixed, unswerving principles. Upholding the glory of his country, and believing firmly in its national faith and traditions, his two objects in England were to break the Protestant alliance, which was endeavouring to check the power of Spain and her Catholic allies, and to win back this country to the old religion. Spanish in blood and brain, and a Catholic of the deepest convictions, he did not believe that the English nation was essentially Protestant in its instincts. He saw how every day, in every part of England, men and women suffered fines, imprisonment, and loss of lands and fortune, because they would not deny the old faith of their fathers. He knew how the whole country was swarming with disguised priests, who said mass in the mansions of old English families. Reports came to him of the immense number of people who were won back to the Catholic religion, or, disgusted by the venality of the English clergy, and influenced by the reaction against Puritanism, joined the ranks of "the faithful." He knew that the Queen herself, though she attended English services, refused to take Communion there, and in the privacy of Denmark House heard mass in a garret, said by Catholic priests who were smuggled in by back ways.<sup>1</sup> Not understanding the Puritan ideals of the great mass of the nation, and believing that none but a fool or a knave could deny the truth of the Catholic Church, Count Gondomar believed that England would return easily enough to the old faith if she were ruled again by a Catholic king; and that, he thought, would come about if young Prince

<sup>1</sup> "Gondomar's Despatches."

Charles, who was neither fool nor knave, married the little Infanta of Spain, who was being so well instructed in her religion.

That was the man's faith and dream and purpose in England, and he pursued them with the most skilful diplomacy. To King James he could be yielding on trivial matters, but firm as a rock on all points of principle; and James, who was so weak, was gradually drawn more and more towards this Spanish gentleman, who never budged from his convictions, and never carried favour by falsehoods. James grew into the habit of consulting him as a friend as well as an ambassador, and Gondomar's advice was always persuasive, and, according to his own light, honest. With Northampton and Somerset on either side of him, pointing out how all debts could be wiped out by the Spanish gold that would come over with the Infanta, and how England could secure the peace of Europe if she were intimately allied with Spain, and with Gondomar prompting him daily with similar suggestions, it is not remarkable that the King came to consider the idea favourably.

But there were grave difficulties in the way. James knew better than Gondomar that his people as a whole abhorred the idea of a Spanish match for the heir. He knew that Parliament would never allow any recognition of the Catholic religion in England. On the other hand, Gondomar knew the temper of Philip and his ministers. He knew that the Spanish King would not allow his daughter to be married to a "heretic"; insisting that before the marriage Charles must be converted to the faith, and that as a first step the persecution of English Catholics must be stopped by James and his Government. These two points of view were really irreconcilable, and ultimately made all negotiations impossible. But it took years to prove that fact; and meanwhile Sir John Digby was doing his best in Madrid to effect a reasonable compromise, while in England Count Gondomar was untiring and patient in his diplomacy.



It was to this little Spanish gentleman, therefore, that Lord Somerset turned in the spring of the year 1614. He had persuaded James that the delay in the negotiations was due in some measure to the slow-moving ways of Digby—that cautious, wise, honourable man who, as an ambassador, was the shining light of this reign. With the King's permission, therefore, the Favourite decided to take the matter into his own hands. He was already on friendly terms with Count Gondomar. The little Spaniard had come to his wedding, and offered a gift of jewels worth £300, but Somerset had not accepted them until he had His Majesty's sanction. This had rather startled the Ambassador, who did not, as a rule, find his gifts looked at askance by the English nobles. But the truth was that in spite of Somerset's many weaknesses, he was, strange to say, much more discreet in money matters than the other officers of State. Many rich gifts, which were really bribes, flowed into his hands, for he was not a man inspired with the spirit of a reformer, and he did not attempt to destroy a system which was almost a part of the Constitution; but at least he had the decency, and the prudence, to submit these offers of money, jewels, and plate to his Royal Master's approval. Count Gondomar is one of the authorities for this characteristic of the King's Favourite.

That gentleman was surprised one morning to receive a visit from Sir Francis Cottington, a gentleman of the Royal Household, who had been brought up in Spain, and on account of his knowledge of the language was employed in carrying despatches to Madrid. He came from the Earl of Somerset, and announced that he was charged with a message from the Favourite. My Lord of Somerset, he said, desired to put a stop to the negotiations with France, and that he was commissioned by the King to act independently of Digby with regard to the proposed contract between the Prince of Wales and the Infanta. In this he was acting with Sir Thomas Lake, who at this time had the support of the Howards for the office of

Secretary, which was still vacant. Cottington added that he was authorised to ask the Ambassador to seek an audience with James, and urge him by every argument in his power to have nothing further to do with the French Court.<sup>1</sup>

Count Gondomar was secretly elated at this overture. Writing home a few days later, "it seemed," he said, "as if God had opened a way before him." The influence of Somerset and the Howards would, he knew, count for more than the support of the Queen—who had been converted to Catholicism—her waiting woman, Mrs. Drummond, now Lady Roxburgh. But Gondomar was a subtle diplomatist, and he did not reveal any eagerness to rush into the Favourite's arms. He was wise enough to play a slow game, knowing that any rash words to the King against France might recoil on his own head. He therefore assured Cottington that he was always ready to listen to advice from the great lord, but that he could not help thinking that the step proposed would be premature. A week or two later Somerset, surprised by this coolness, made further overtures, but Gondomar was not to be rushed into a position which might be repudiated by his own Government. He therefore replied to the Favourite with many flowery expressions of courtesy and deference, but made it clear that he would not compromise his master's cause by any hasty and ill-advised action.

Probably he was waiting to see the development of political events in England, which were now agitating the Court and country, and he must have wondered whether Somerset and the Howards were really so supreme in the State as they appeared to only superficial observers.

It was remarkable that when, after months of intrigue among all the candidates for office, the position of Secretary was at last filled up, the appointment was not given to Sir Thomas Lake, the Howards' man, nor to Sir Henry Neville, the popular candidate, but to that plain-spoken, Puritanical, hard-headed man in black, Sir Ralph

<sup>1</sup> "Gondomar's Despatches," quoted by Gardiner.

Winwood, who was notoriously antagonistic to the Spanish alliance. There is still some mystery about that appointment. It was not surprising that Neville had failed in his claims. Favoured at first by Somerset, then Viscount Rochester, owing to Sir Thomas Overbury's advice, he had lost his greatest influence when that unhappy gentleman was sent to the Tower in disgrace. He had also displeased the King after the dissolution of the last Parliament, by urging His Majesty to summon the national representatives again, and advising him, with the object of getting their subsidies, to make many great concessions. He drew up a list of these concessions, and James said that to accept them would be to surrender his most cherished principles and prerogatives ; on the other hand, it might have been dangerous, in view of the temper of the time, to appoint a man like Lake, who was known to be nothing more than a creature of the Court.

Yet it is strange that the King's choice fell upon Winwood. It is true that he had paved his way by presents to the Favourite, and that he did not reveal his principles too plainly while seeking office. But he was not likely to be a mere tool of the Court, and he was not one of those brilliant, good-looking, butterfly fellows who appealed to the King's temperament. It is probable, though this is a mere guess, that Somerset believed this appointment would soften the antagonism of the anti-Spanish party, and that Winwood would gain the confidence of a new House of Commons by his blunt and honest methods. While doing all the drudgery for the Secretaryship, the power would really remain in the hands of Somerset himself.

Sir Ralph Winwood, who had been dogging the steps of the Favourite every day, and was observed to be "in great favour with the great man," received his reward, when he was almost weary of this courtship, and took his oath as Secretary on March 29. To solace Sir Thomas Lake, who had built his hopes on the place, the King admitted him to the Privy Council on the same day. Somerset before this had endeavoured to comfort Sir

Henry Neville for his disappointment by buying a place for him at a cost of £2,000; but he proudly refused "to take money, or anything bought with money, at a subject's hand."<sup>1</sup> Afterwards he obtained the office of Woods and Forests. The offer was delayed for some time on account of his long services, and "this," says John Chamberlain, the letter writer, "is but a bad medicine for a man that hath at this instant three dangerous diseases upon him; that is, jaundice, the scorbut, and a dropsy."

The immediate reason for the appointment of a Secretary was the necessity of having some one to speak in a new House of Commons, on behalf of the Government, and use his influence as a member of that House to stifle opposition. For after a vain endeavour to carry on the business of State without the aid of Parliament, the condition of the Treasury was so desperate that a new assembly was to be called. At the Council table this question had been discussed with some violence. Northampton, Lord Privy Seal, told the King that if he listened to his advisers he would only be calling an assembly of his enemies. At the time James assured him, after the discussion, that he believed he was right. On February 16, however, when the subject was again debated, the old Earl was nearly alone in his opinion, and the majority gave their votes for a summons of the national representatives.

It is no wonder that James was compelled to this course. His finances had never been in such a deplorable condition. His ambassadors were unpaid and clamouring for their salaries; the officers of his household, down to the meanest servant, were working without wages; his sailors were almost in mutiny, the ships were rotting; the fortifications were crumbling away; in every department of State was a list of arrears, which amounted in the aggregate to £488,000. Great loans had been raised by Privy Seals, and £125,000 was required to pay them back. Revenue which belonged properly to the expenses of the following year had been anticipated to the extent of £67,000.

<sup>1</sup> "Court and Times."



Altogether, the King's liabilities amounted to £680,000, apart from a standing deficit of £200,000 a year.<sup>1</sup>

The King's personal debts had led to scandals which destroyed the people's confidence in his honesty. The King owed his brewers £16,000 for liquor; and when they were faced by ruin they were bold enough to say that they would not supply any more beer without payment. They appealed to the law to recover their debt; but the King issued a mandate to say that this was a matter of State, and therefore "out of the compass of law." The chief brewer, Brashaw, and six or seven of his companions, were therefore thrown into the Marshalsea prison for contempt.<sup>2</sup> That was English justice in the reign of James.

In January of this year there was some talk in the Council of making fifty new barons at £6,000 a-piece; but, says Chamberlain, it "greatly quailed; for though the world be as vain and ambitious as ever, yet money goes low, and I think they should scant have found five at that rate."<sup>2</sup>

It is not surprising that throughout the country there was a seething spirit of indignation against all these abuses. The ballad-mongers became bold, and wrote libels which would have cost the authors their heads if they could have been traced. Anonymous pamphleteers wrote tracts of the times denouncing the King, the Council, and the Favourite, and flung them into the courtyard at Whitehall, and bribed the Court lacqueys to place them under the Royal nose. Even in the pulpit the King was not spared. A Somersetshire clergyman named Peacham wrote some notes summing up the abuses of the State, and suggesting in Scriptural phrases that the King was a tyrant who, if he did not mend his ways, would be sentenced to the death of tyrants. These notes he copied out "in a fair hand," and headed with a text. The paper was seized by one of those informers who swarmed in the country like birds of prey, and Peacham was accused and arrested. It was believed

<sup>1</sup> Gardiner.

<sup>2</sup> "Court and Times."

that he was only one member of an organised conspiracy ; and in order to make him confess the names of his accomplices, he was ordered to submit to the *peine forte et dure* ; that is to say, this old man of over sixty years was tortured on the rack time and time again, until in desperation he accused Squire Paulet, of Hinton St. George, as having instigated him to the "libel." "He was examined before torture, in torture, between torture, and after torture," is the statement signed by Sir Francis Bacon, Sir Ralph Winwood, and Sir Jervis Elways. Paulet was arrested, but managed to clear himself. Peacham himself, destroyed in body and spirit, died in gaol. A man of mean spirit, and perhaps a little crazy, he does not inspire one with any personal interest ; but such men as he were inevitably produced by a Government which violated the justice of English laws, and was utterly indifferent to the spirit and conscience of the people.

When the writs were issued for the election of members to the new Parliament, the King and his Council were panic-stricken at the thought of what might happen when the condition of the country came up for review before a refractory House of Commons. "The King's friends," as they were called, though really they were his worst enemies, used every effort to get men elected who would not be hostile to the Court party. "Here is much bustling for places in Parliament," writes John Chamberlain from London on March 3, "and letters fly from great personages extraordinarily, wherein methinks they do the King no great service, seeing the world is apt to conceive it is a kind of packing." In some cases there were Court toadies in the country who played into the hands of these "Undertakers," as they were called (because they *undertook* to secure a majority on their side of the House) ; and the mayor and citizens of Rochester, anxious to secure the patronage of the Favourite, who gave many sumptuous entertainments at his castle at Rochester, which were very good for local trade, wrote to him an obsequious letter on February 3. Hearing that the King intends to call a

Parliament, they offer him the nomination of one of their two burgesses.<sup>1</sup>

Great landowners, who reigned as feudal lords in the country, were able to secure the election of their own men here and there; but, apart from isolated cases of this kind, there was a general and stubborn resistance against the Court men, as they were called. In the City the electors resisted the nomination of Sir Henry Montague, the Recorder, because, as they said, he was the King's "sergeant." They elected Fuller, a democrat and a Puritan. In many places the Court candidates were plainly told no votes would be given to any man who was in the King's service. All the leaders of the democratic party in the last Parliament were again returned, and all over the country, where formerly an election had been a formal affair (people being elected who were pointed out by the Lords as fit and proper persons), the greatest excitement prevailed, and the people declared their intention of selecting their own representatives. The "Undertakers" were blamed even by those of their own party who believed that the scheme for packing the House had done infinite harm to the King's cause.

There is a very curious letter written by the Earl of Suffolk to his son-in-law, Somerset, which reveals the opinion of the majority among the Privy Councillors, and their fears of what the new session would bring forth.

"The last night," he says, "Pembroke came to me in the garden, speaking in broken phrases, that he could not tell what would come of this Parliament, because he found by the consultation last day that my lords had no great conceit that there would be any great good effected for our masters: divers of my lords having spoken with many wise Parliament men, who do generally decline from the Undertakers, only Pembroke and myself were the hopeful believers of good success, two or three petty Councillors more seemed to be indifferently conceited, but so as my Lord of Pembroke is much unsatisfied that they are no more

<sup>1</sup> Domestic State Papers.

confident in his friends. . . . We are appointed to meet again on Saturday. Pembroke and I have undertaken to bring to my lords the demands that will be asked of the King this Parliament, and that they shall be moderate to the King, and yet pleasing to them, which we affirm to my lords we conceive will be attractive inducements to get the good we look for, and what this shall work at our next meeting you shall know as soon as it is past. But I must make you laugh to tell you that my Lord Privy Seal says soberly to me, 'My lord, you incline before the Council too much to those Undertakers.' This troubles me nothing, for if we may do our master the service we wish by our dissembling, I am well contented to play the knave a little with them, which you must give me dispensation for following your direction."<sup>1</sup>

It is a proof of Somerset's supreme position in the kingdom at this time that all correspondence with reference to the opening and business of Parliament was addressed to him. Thus we find the Chief Justices and Counsel-at-Law writing to my Lord of Somerset that "the propositions for Parliament delivered by His Majesty are so important that they request time for further consideration and leave to deliver their answers verbally, that they may be assisted by His Majesty's judicious and apposite questions." And Lord Privy Seal writes to Somerset that the Council have resolved upon the letter which they present to His Majesty [with reference to the demands to be made by the Commons], but if the King decide to confer with the Council before the writs go forth it cannot sit before May. Sir Herbert Croft being elected for Herefordshire, addresses the Favourite as "a faithful Councillor of the King and lover of the Commonwealth," and begs him to use his influence with His Majesty for the exemption of the Border Counties from the jurisdiction of the Council of Wales.<sup>2</sup> On April 3 the Favourite received a letter of another and more pleasant kind. It was from one Richard Gosson, who writes that the Company of East India Merchants, of whom he is one,

<sup>1</sup> Cotton MSS.

<sup>2</sup> Domestic State Papers.



have agreed to present his Lordship with gold plate, to the value of £600. He begs that he may be entrusted with the making thereof, having purchased the gold by order from the Company.

The ceremony of opening the Parliament in State was to take place on April 5, but before that date a curious little riot took place at Court, in which Somerset was involved. Although without importance in itself, it happened at an unfortunate time. Just before the beginning of the new session it seemed to emphasise to the popular representatives that morality did not count at Court, and that the Favourite and the House of Howard rode roughshod over all honest people.

The cause of this storm in the antechamber was the appointment of Sir Arthur Ingram as Chamberlain of the King's household, a subordinate post, of course, to the Lord Chamberlain. My Lord of Somerset was his very particular friend and patron and had stood sponsor at the christening of his first-born child. The fellow, however, was of such a notorious bad character that even the gentlemen of the household, who were not saints, were scandalised and indignant at this appointment when it was suddenly announced to them. Somerset and Suffolk, the Favourite and the Lord Chamberlain, had foisted him over the heads of many who had prior claims, having persuaded Sir Thomas Verney to resign the place in consideration of £1,500 in ready money, £600 a year during his life, and £200 a year to his wife after his death. This is some indication of the plunder which could be got from Court offices.

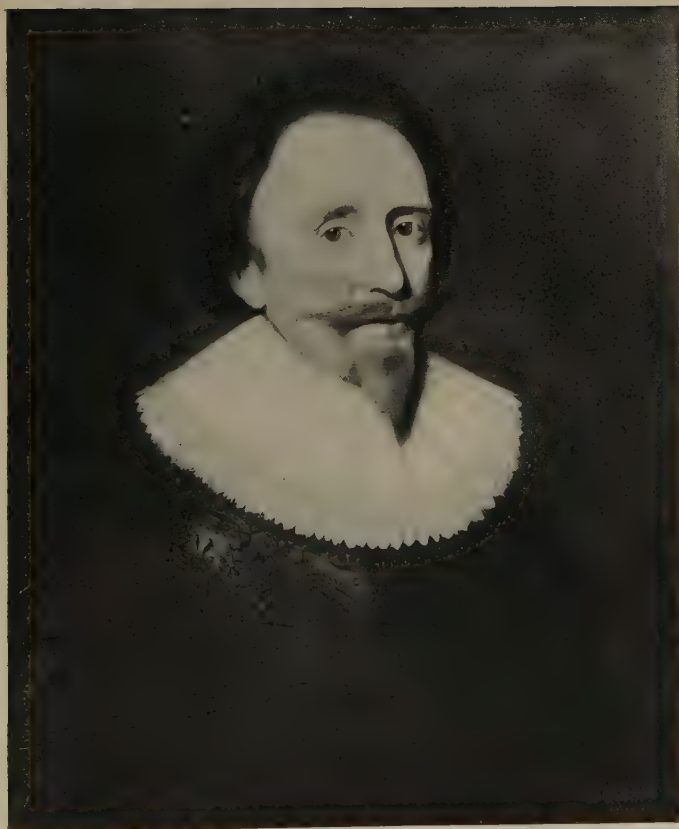
Quite a storm broke out in Whitehall when Sir Arthur Ingram was sworn in. All the officers of the Court, and even the King's guard, protested violently against the indignity of having such a scandalous fellow set over them. The officers of the Green Cloth and others pressed their way into the King's presence and behaved boldly, or, as some said, "malapertly," against some of the great lords present. Sir Robert Banister and Mr. Murray, two of the

gentlemen-in-waiting, told His Majesty that it would have been less grievous to them if he had sent a warrant to hang them at the Court gate.

The King was somewhat scared by this riot among his own gentlemen, and promised that he would inquire into the matter and see that justice was done. The Earl of Suffolk also ate humble-pie for once, and promised that "as he had been an instrument to do them wrong, so he would do them right." The gentlemen of the household also got the Queen and Prince Charles on their side, the latter telling his father that "there was discontentment enough otherwise, and that it were pity for one man or cause to bring a general discontentment into his own house." In spite of all this, however, Somerset's influence was strong enough, with that of the Howards, to retain his protégé in his position, the only result of the tumult being that Sir Arthur Ingram himself was "sent to Coventry" by the King's gentlemen.<sup>1</sup>

The truth is that at this time the King's household was divided against itself, and the whole Court was torn by jealous factions. The Howards carried themselves with a high hand, and formed a kind of family coterie, surrounded by a hedge of suspicion and reserve. This is to be seen in the details of the King's entertainment at Cambridge just before the opening of Parliament. James made his entry into the University town on March 12, with Prince Charles and a great train of gentlemen, and with as much pomp and pageantry as bad weather and filthy roads would permit. But all the arrangements for his reception were in the hands of the Earl of Suffolk, Chancellor of the University, and it was remarked as an extraordinary and insolent thing that this proud lord had not invited the Queen. Indeed, very few ladies were present, and none but the Howards and their relatives, such as the Countess of Arundel and her sister, the Lady Elizabeth Grey, the Countess of Suffolk and her two daughters of Somerset and Salisbury, the Lady Walden, and Henry Howard's wife.

<sup>1</sup> Chamberlain to Carleton, "Court and Times."



From a photo by Emery Walker, after the painting by Michiel Jansz van Miereveldt, in the National Portrait Gallery.

SIR DUDLEY CARLETON, VISCOUNT DORCHESTER.





My Lord of Somerset was there, as well as his lady, who had now recovered somewhat from her illness, and his father-in-law entertained the King and all his guests with a magnificent hospitality which was said to cost £1,000 a day. Some idea of his bounty may be gained from the fact that twenty-six tuns of wine were supplied in five days.

He lodged and kept his table at St. John's College, but his lady, with her daughters and retinue, stayed at Magdalen College. The King and the Prince, with their gentlemen, put up at Trinity College, and here they were treated to many entertainments by the young gentlemen of the University, in the great hall, where two thousand people could be conveniently placed.

Among those present at a comedy called "Ignoramus" (presented in the Clare Hall) was a young gentleman named Mr. George Villiers, a fellow of no fortune and rather out-at-elbows, but of a very striking and winning beauty. The King's eyes fell upon him, and His Majesty inquired who this youth might be, whose good looks singled him out from all the company. There were some there who made a note of this incident; but my Lord of Somerset, surrounded by flatterers and sycophants, was ignorant that in the room was one who before long would be his rival in the King's favours, and would build his fortune upon the Earl's ruin.

All this feasting and squandering of money at a time when the people were getting very sullen in their poverty, and when their representatives were gathering to discuss the country's grievances, was foolish pride and insolence. The time would come when Prince Charles, the grave and pale boy who had succeeded Henry as Heir-Apparent, would have to pay with his life's blood for these follies, which one by one alienated the people from the Sovereign Power. The luxury of King James's Court and the arrogance of his favourites first inflamed that Puritan and Republican spirit which called the people to arms and led to the bloody civil war of the next reign.

On Tuesday, April 5, 1614, the King, with the Prince

of Wales, and the peers, rode in their robes to Westminster Hall, for the State opening of the new Parliament. It was a rich and splendid pageant, but the weather was stormy and marred the show. It was a presage of the weather which would prevail inside the House. The Duke of Lennox carried the Marshal's rod, the Earl of Shrewsbury the cap of maintenance, and the Earl of Derby the sword. The Earl of Somerset acted as Master of the Horse, owing to the illness of the Earl of Worcester, and it was generally believed that the Favourite would hold the office henceforth.<sup>1</sup>

The points of the King's Speech had been suggested by the Council, and drafted out by Mr. Attorney-General Bacon; but James was never the mere mouthpiece of other people's views, and always put a good deal of his own individuality into his public words. The opening of the Speech from the Throne was calculated to please the gentlemen of the Commons, who as yet were unknown quantities. He expressed his anxiety for the maintenance of the Protestant religion, and the alarm with which he saw the increase of "Popery," which was spreading in spite of his exertions to combat it with tongue and pen. He did not propose that new laws should be made against recusants, but he desired that a means could be found to execute more strictly those already on the Statute Books.

His voice then broke a little as he referred to the great personal loss he had suffered since he had last met his Parliament. God had taken Prince Henry from him, but he must thank God for having just given him a grandson [Princess Elizabeth's child], so that if Prince Charles failed of heirs, the succession of the English throne was established. He had chosen a Protestant husband for his daughter, in order that "if his own issue male should fail the future Kings of England might be brought up in the Protestant faith." Not a word did James say of the proposed match between the Heir-Apparent and a Catholic Princess.

<sup>1</sup> "Court and Times."

So far, indeed, his speech was wise and full of tact. Not a word of it could have jarred on his audience, save those who suspected him of insincerity. Then he broached the subject of money, and perhaps as he looked down upon the gentlemen of the Commons he may have seen a sudden tightening of the lips. But he appealed to their generosity. "He would not," he said, "bargain with them for money. He would see what they would do in their love. He had given them a proof of his affection by turning to them rather than relying upon his own prerogative. He desired, however, to clear himself upon one point. He had heard an evil rumour that he had relied upon some private undertakers who with their own credit and industry would do great matters. This was false. He would rather have the love of his subjects than their money."

Three days later the King again addressed the two Houses, and again made much use of the word love. "This Parliament," he said, "was to be a Parliament of Love. The world was to see his own love for his subjects, and the love of his subjects to their King. God was loved for the gift which He gave, and he, as a King representing God, would begin by offering them a gift, and he expected from them cheerfulness in return for that favour."

What that gift was which James offered is not very clear. Perhaps it was the gift of his enormous debts, which he expected them to pay. In his own mind it was probably the temporary surrender of his prerogative to levy impositions without the sanction of Parliament, on condition that they granted him ample subsidies in return.

After some preliminary discussions as to the right of Sir Frances Bacon as Attorney-General to sit in the House of Commons, Sir Ralph Winwood rose on April 15 to move the grant of supplies. It was an unprecedented thing to raise the question of money so early in the session, and was a proof of Winwood's inexperience in Parliamentary etiquette. His proposals were heard in silence, and then a member intervened by offering the

House a Bill on Impositions. Other members rose to support this, and to bring forward other grievances, among which was the new scandal of the "Undertakers." Winwood and Bacon, who pleaded that the financial necessities of the State should be considered first, were borne down, and it became very clear that the Parliament of Love were not going to grant any money whatever until they had settled certain great principles at stake. On April 17 the whole House received Communion, not at Westminster Abbey "for feare of loaves and wafer cakes," but at St. Margaret's, when absentees were to be noted,<sup>1</sup> on suspicion of being recusants. Among the whole of the three hundred members not one failed to be present, and from this day dates the connection between the House of Commons and that church.

On the following day the Bill on Impositions was read a second time before a Committee of the whole House, and then the question of the undertakers was gone into. This was dropped, and attention was given to the evil of monopolies. Afterwards, on May 21, the discussion on Impositions was resumed more seriously. Sir Roger Owen, member for Shrewsbury, brought forward the argument that impositions could not be raised without the consent of the twin estates of the realm in any European monarchy. This argument, which was utterly false, was successfully crushed by Winwood; but Sir Dudley Digges brought back the debate to its proper sphere by asserting that the foundations of English liberties rested upon the laws received from their forefathers. Sandys, one of the most brilliant of the democratic party, elaborated the argument by endeavouring to explain the nature of the original compact existing between the English kings and people. Wentworth, a Puritan lawyer, continued the discussion in a speech of unusual and startling violence. "The Spaniards," he said, "had lost the Low Countries by attempting to levy impositions. All the power of the greatest of the French monarchs had not saved them from

<sup>1</sup> Chamberlain to Carleton, Domestic State Papers



dying like calves by the butcher's knife." Under the veil of Scriptural phrases he hinted plainly enough that James might suffer the same fate if he persisted in raising illegal taxes.

The Commons now decided to send a request to the Lords for a conference of both Houses, which was answered by a refusal to meet the Lower House. My Lord of Somerset was one of those who voted against the conference, and he was joined by thirty-nine peers, and all the bishops except the Archbishop of Canterbury. This refusal, which in any case would have been deeply resented by the Commons, was aggravated in its insult by a speech from Dr. Neile, Bishop of Lincoln. We have already made acquaintance with this prelate. He was one of those Commissioners who had been most hostile to the Archbishop, and most subservient to the Court in the case of divorce between Lord and Lady Essex. A toady of the Sovereign, and utterly lacking in the first principles of Christian charity, he burst out into abuse of the people's representatives. He thought it in no way fit, he said, "to admit of any parley in a matter of that nature, which did not strike any more at the branches but at the root; yea, at the very Crown and Sceptre itself." He added that "the Lower House was known to be composed of such turbulent and fractious spirits, as if they should give way to a communication or treaty with them, they were like to hear such mutinous speeches as were not fit for those honourable personages [the Lords] to lend their hearing to."<sup>1</sup>

When the report of this speech reached the Commons they broke into a fierce and menacing uproar, and laid aside all business until such scandalous insults had been withdrawn. In this they persisted stubbornly, having sent a message to the Lords to that effect, until the King wrote to them saying that they forgot their loyalty to his Royal prerogative, "to whom it only belongeth to call, adjourn, and dissolve Parliament."

<sup>1</sup> Rev. Thomas Lorkin to Sir Thomas Puckering, Bart., "Court and Times," *ed. and publ. by J. G. Nichols*

Upon receiving the Royal message the Speaker, with forty members, went on Sunday afternoon to the Court, telling the King that they were misrepresented, and that they had no intention of adjourning, but only of forbearing to deal in matters of moment until they should be cleared of the Bishop's imputations.

The Peers called the Bishop of Lincoln to order and rebuked him, so that he burst into maudlin tears ; but their answer to the Lower House was not considered a sufficient apology for the "foul blot upon their honour." The Bishop had already been "well baited, and his whole life and carriage laid open and anathematised," and now every day the speeches grew more fiery. On June 3 the King, with Somerset's advice, sent them a letter saying that he intended to dissolve them that very day unless they at once considered how to relieve his wants.

There is no doubt that the Favourite was the guiding spirit of the King in this matter, though James himself was utterly out of patience with the Commons. But my Lord of Somerset was desperately anxious to get rid of this tumultuous assembly. He knew enough of English history to guess that in a little while these democrats would turn from general denunciations to particular persons, and that they would cry him down as the evil adviser of the King, and the fountain-head of Court corruption. The Prime Minister of England in all but name, it would be easy enough to hold him responsible for the condition of his country, and for all the grievances of which they complained. It mattered little whether that was so or not. God knew he was not responsible. In Overbury's lifetime he had gone after pleasure rather than business. Now, though it was true he was the most intimate friend and adviser of the King, he was powerless to reform abuses upon which, it seemed to him, the very foundations of society were built. So he may have argued to himself, but in his heart he was afraid of those bold men, who were determined to have a victim. Already they were aiming at him. Christopher Neville, younger son to Lord Abergavenny,

had stood up in his place in Parliament and boldly called the Royal favourites: "*spaniels to the King and wolves to the people.*" John Hoskyns had told the House that "wise princes put away strangers, as Canute when he meant to plant himself here sent back his Danes, as the Palsgrave had lately dismissed all the English about Princess Elizabeth." It was a plain attack upon the Scottish favourites, and he ended by a dark saying that these men might find themselves victims of the "Sicilian Vespers," meaning thereby that they would have daggers at their throats. Courtiers came from Parliament to tell the King's Favourite that they had never known a more disorderly House, that it was more like a cockpit than a grave council, and that "many sent there were more fit to be among Roaring Boys than in that assembly."<sup>1</sup>

Robert Carr, Earl of Somerset, was not a man to suffer his enemies patiently. He reported their speeches to the King, his good master, and James sent word to his Parliament that he dissolved them.

By an Order of the Council, Christopher Neville, Sir Walter Chute, Hoskyns, and Wentworth, were committed to the Tower, and various members who had been preparing a petition of grievances were summoned to attend the Council table with their notes on the subject of impositions. King James sat behind curtains, through which he could see these men, who were brought up like criminals; and he watched the papers burnt according to his orders.

So ended the Parliament of Love, which, having brought forth no Acts, was nicknamed by Court wags "The Addle Parliament." But though it had added nothing to the Statute Book, it had begun that great struggle between the power of the Crown and the power of the people, which was to be continued through this and the next reign, until after a great war, in which swords were used instead of words, and blood instead of ink, the victory went to the people, and the Crown fell into the dust.

Immediately after the dissolution of Parliament the

<sup>1</sup> Chamberlain to Dudley Carleton, "Court and Times."

Favourite lost his greatest friend and ally, the Earl of Northampton. This wicked old man, who had exercised a malign influence over the career of Robert Carr, had been taken seriously ill during the stormy debate in that House of Commons which he had so vainly endeavoured to pack with Court nominees. As if he could defy death itself, and overawe that dread king by worldly pomp, he had himself carried from Greenwich to London, attended in great magnificence by sixty gentlemen on horseback, and having in his coach Sir Charles Cornwallis, who was afterwards committed to prison for having, at the instigation of this old man, discussed dangerous things in the late Parliament in order to force a dissolution. The Earl's procession to his great house at Charing Cross was like a Royal triumph, but it was his last public show in life. He had a swelling in his thigh, which grew larger every day until it was found necessary to cut it; when it grew so angry that it gangrened and made an end of him. The cancerous growth was so full of poison that Felton, his surgeon, who lanced it, was tainted with the issue, and was himself so near death's door that the bell tolled for him.

The Lord Privy Seal had laughed in death's face to the last, and so little expected that his end was near, that he did not make his will until the eleventh hour. It was Sir Robert Cotton, the antiquary, and his great friend, who told him that he was about to go his way on the great journey. "But for his good news, among all his friends and legacies, he never gave him a penny." The old nobleman left most of his land to the Earl of Arundel. His house at Charing Cross was bequeathed to the Earl of Suffolk and his lady during their lives, and afterwards to their son, Mr. Henry Howard, with land to the value of £800 a year. But as though he would purchase absolution for his sins, all his goods and revenues for ten years were to go to payment of legacies, and endowments to three hospitals at Greenwich, in Norfolk, and in the West Country. To his own gentlemen he was very liberal, leaving them £100 apiece.



More honest in his death than in his life, his faith in the Catholic Church, which he had denied for ambition's sake, was now confessed. He received extreme unction, and his body lay covered with a velvet pall, with a white cross through it, and with two burning tapers upon his coffin day and night, where six of his gentlemen watched continually by turns, with torches borne by other servants. He had given orders that his body should be buried at Dover, in the Castle Chapel, and the funeral procession wound slowly through Kentish villages, the coffin resting at inns on the way, where during the night the candles burned, and the torches flickered, and the gentlemen took turns again to watch.

On the day before his death the old man wrote a letter to the King, and another to the Earl of Somerset, with the superscription *Detur dignissimo*. Though when he dictated the words he was on his way to the judgment-seat, he did not forgive his enemies, or forget those palace intrigues in which so many years of his life had passed. He requested James and his Favourite to allow Sir Robert Brett to continue his place at Dover Castle, and begged that the Earl of Pembroke and Lord Lisle should not have any of his own offices, because, accounting them his enemies, he did not wish them to triumph over him when he was gone. "These, and such other passages, made the world speak hardly of him, and say *Ut vixit sic moritur*."

As soon as he was gone there was a reshuffling of the Court cards, and my Lord of Somerset and his father-in-law, the Earl of Suffolk, gained all the tricks. The Favourite at once took the wardenship of the Cinque Ports, though without being formally installed in that office, and took possession of the privy seals which had dropped from the hands of his wife's great-uncle.

The King then conferred the Treasurership, which had been vacant since the death of Lord Salisbury, upon my Lord of Suffolk, and the Chamberlainship upon my Lord of Somerset. A strange scene took place at Whitehall

on Sunday, July 10, when James presented their staves of office to these two great lords.

To the Earl of Suffolk he said, that having suffered much in his estate under former treasurers, his desire had been to try whether, by translating the execution of that charge upon many, he might find some relief, which course, notwithstanding, failing to answer his expectations, and proving, besides, grievous to the subject, who could not be despatched with that expedition as before, he now thought fit to change again, by resuming the wonted custom of the kingdom, in putting the employment into one man's hands. Then he praised the noble qualities of the one he had selected, and contrasted him to the late Lord Treasurer, Salisbury, who, in lieu of supplying his wants, was wont to entertain him "with epigrams, fine discourses, and learned epistles, and other such tricks and devices, which yet would pay no debts." Therefore, to obviate such cunning, he had made choice of "a plain, honest gentleman, who if he committed a fault had not rhetoric enough to excuse it." The King little guessed that this "plain, honest gentleman," would prove the greatest robber of them all, and that before many years had passed he would be charged before the Star Chamber, and proved guilty of the grossest bribery and corruption.

Having done with Suffolk, James spoke about the office of Lord Chamberlain, and said that as it was a place of great "nearness" to his person, he had made choice of one "who of all men living he most cherished, my Lord of Somerset."

Turning then to his Favourite, and addressing him "with the most amiable condescension that might be used," he said, "Lo, here, friend Somerset," and offered him the staff. Robert Carr, my Lord of Somerset, prostrated himself on his knees, and received his great prize "with some few but effectual words of acknowledgment."<sup>1</sup>

<sup>1</sup> Rev. Thomas Lorkin to Sir Thomas Puckering, Bart., "Court and Times."

Somerset did not obtain his appointment as Lord Chamberlain without making one powerful and determined enemy. This was the Earl of Pembroke, who had never been his friend, but now hated him still more as his personal rival. For William Herbert, my Lord of Pembroke, Shakespeare's patron, and Elizabeth's friend, claimed a right to the Chamberlainship, in which he was supported by the Queen; and it was bitter to him that he, "proud Pembroke," should be put down by this upstart Scot, who was not content with one office but seized everything.

Truly Somerset's position was now extraordinary and all-powerful.

The power of the Privy Seal was in his hands, and he was practically Minister of Foreign Affairs, so that Sir Ralph Winwood, Secretary of State, found himself a mere flunkey to do this man's bidding.

"To let you see further how universal the man's worth and greatness is," says one of the letter-writers of the period, "he continues to receive all the packets, and to order the despatches, and in a manner disburthens the secretary of the whole care of foreign affairs; who willing, not long since to put himself into some action, pretended that the King's ministers abroad wanted advice and directions what to do; and offering, in particular (if so it liked the Earl) to send some instructions to Trumbull, his majesty's agent at Brussels, received this answer: *That he should not need trouble himself with the care thereof, for he [my Lord of Somerset] would do whatsoever was requisite therein himself.*"<sup>1</sup>

Robert Carr had now reached the summit of his worldly glory. Next to the King, he was the autocrat of England. To him came all men with petitions for places. To him they appealed for redress of grievances. He held the seals, without which no act of the Council was valid. He controlled the foreign policy of the nation. His was the voice which whispered secrets and secret counsels into

<sup>1</sup> Rev. Thomas Lorkin to Sir Thomas Puckering, Bart., "Court and Times."

the King's ears. And if at this time our foreign policy was disastrous, the condition of the country deplorable, and the Court a very sink of corruption, which cannot be denied, he must take a large share of the responsibility, though in reality it was not his misdirected force which caused these evils, but his weakness which made him drift with the tide, powerless to resist so many cross-currents of folly and dishonesty.

The woman who now shared his fortunes must have been amply satisfied in her ambitions. No longer the wife of a young man who had no genius for Court intrigues and no love of its luxury, she was, as the Favourite's lady, in a continual whirl of gaiety and pageantry. Whenever the King made a Royal "progress" Somerset went with him, and she with Somerset. This was the life she had desired as a daughter of the Howards. But she was walking on quicksands, into which at every step she might sink and be swallowed up. In July of the year 1614 she had a scare which must have revealed to her the dreadful insecurity of her position. The friends of Sir Thomas Overbury had not forgotten him, and certain dark rumours as to the manner of his death were being whispered about, the Countess of Somerset's name being mentioned mysteriously. Some report of these rumours reached that lady, and made her afraid, so that she went to Mrs. Turner, her accomplice, for advice.<sup>1</sup>

The Earl of Somerset, too, was haunted by the dread of Overbury's ghost. There were many secrets which he also had to bury. When the Earl of Northampton died Somerset sent to Sir Robert Cotton, who had charge of his master's papers, with a request for the letters he had written to the Earl relative to Overbury's imprisonment. Sir Robert Cotton gave them up, and Somerset burnt some of the papers. As he watched them flicker into ashes he may have breathed a sigh of relief that these secrets had now been consumed in fire.

But there were other letters not less dangerous in other

<sup>1</sup> State Trials



people's hands, and it was rash of Robert Carr not to obtain them and destroy them also. At times he must have remembered them with fear.

In spite, therefore, of their high position, the Earl and Countess of Somerset could not look forward to the future without a dreadful uneasiness. There were skeletons in the cupboard which any accident might discover. And if once the door of that cupboard were unlocked, not all the King's favour nor all their wealth and titles could save them from irretrievable ruin.

## CHAPTER XII

### THE RISING AND THE SETTING SUN

AT the dissolution of Parliament some of the Bishops made an offer to the King of the value of the best piece of gold plate in their possession, to help him out of his pressing difficulties.

The Archbishop of Canterbury began with a basin and ewer, and redeemed it with £140. The Bishop of Winchester gave as much, my Lord of Ely £120, and the others about the same. The King was highly pleased with this idea, and the noblemen adopted it. The Earl of Suffolk and the Earl of Somerset gave £200 each, the Earl of Salisbury £300, and a great number of other peers followed with less amounts, all of which were paid into the Jewel House. This voluntary contribution to the Exchequer seemed an admirable means of providing money without the aid of rebellious Parliaments, and the Council sent letters into all the shires suggesting that the whole nation should show its loyalty in the same manner. In the meanwhile the City was asked for a loan of £100,000, but replied that they would rather give £10,000 than lend the larger sum. The money collected by this Benevolence, as it was called, was to be employed entirely upon the debts incurred on account of Ireland, the Navy, and the English garrisons in the Low Country, which were most pressing. Although it was distinctly understood that the gift was to be free, great pressure was really brought to bear on all classes and conditions of people by the King's officers and friends. There

is an interesting letter from Sir John Vaughan to Sir Henry Neville, who was now my Lord of Somerset's good friend again (being unable to prosper without his influence), which gives some of the ways in which the Benevolence was collected. Vaughan had taken great pains, he says, about the King's gifts in the county [Carmarthenshire]; the inhabitants, though poor, are willing to contribute, and have paid to the amount of three subsidies. They will, if requested, give the King the money laid aside for Irish service, and for building a house of correction. He had persuaded the chief gentlemen in Brecknockshire, a county that once refused its money, to contribute this time.

Vaughan had solicited the Favourite for a place under Charles, just created Prince of Wales, and he ends his letter to Neville by begging him to use his influence with Lord Somerset, to whom he sends £100 as a New Year's gift.

Although at first many gentlemen who desired Royal favours, and were willing to pay for them, sent in contributions to the Benevolence, the hopes of the King and Council were disappointed. The money dribbled in slowly and sparsely, and in many counties people flatly refused to betray their liberties by helping the King to raise money without a Parliament. When the screw was put on, the feeling of the country that it was being tricked by false phrases, and coerced under the pretence of being asked for free gifts, caused a smouldering spirit of revolt which boded danger to the State.

In spite of his increasing embarrassments for lack of money, James went gaily on, and any excuse was good enough for spending money. An excellent excuse, as it seemed to him, was provided by the unexpected visit of the King of Denmark. The Queen's brother had paid a previous visit to this country, where he had enjoyed jovial and almost riotous entertainment, and it now pleased him to come over without any preliminary announcement. Landing at Yarmouth, he took post-horses to London, where, dining at an ordinary inn near Aldgate, he hired a hackney-coach and drove to Somerset House (afterwards

called Denmark House), where the Queen held her Court. He entered the antechamber unobserved while Queen Anne was dining privately in the gallery, and a dancer named Cardel was first to call attention to him by saying that the gentleman was "the likest the King of Denmark he ever saw in his life." Then a French servant of the Queen's, studying the stranger's face, became convinced, and ran off to tell the news to his Royal mistress.

"The Queen at first scorned him for his labour ; so vain it appeared, and thought it some fantastic caprices of a French brain. But the King following close after, and begging silence by the becking of his hand as he entered, came behind her and embraced her ere she was aware, and, saluting her with a kiss, taught her the verity of that which before she believed to be a falsehood."<sup>1</sup> King James, who was in the country, was sent for, and all was gaiety again at Whitehall and Somerset House, with feasting, bear-baiting, running at the ring, and fencing. The Favourite, as Lord Chamberlain, had the duty of arranging the entertainment for the Royal guest ; but it is probable that there was only an outward friendship towards him on the part of the Danish King if rumour is to be believed. It was said that the secret of his mission was to call certain gentlemen to task for their hostility to Queen Anne. He had been deeply incensed on this account against the late Lord Privy Seal, and doubtless Anne had written to him about the intentional slight put upon her by the Earl of Suffolk at Cambridge, when he had neglected to give her an invitation. Somerset, as the Howards' man, and as the Queen's pet aversion, was not likely to be favoured by her brother. Upon his departure in August of this year, 1614, James presented his guest with gold plate to the value of £5,500. The news of this prodigality must have been a further cause of indignation to those who had been forced to send "free" gifts to the Jewel House.

The Favourite, who was, as we have seen, the King's right hand in foreign affairs, was now faced by some serious

<sup>1</sup> Rev. Thomas Lorkin to Sir Thomas Puckering, Bart.



events on the Continent, which threatened to involve England in war. In the Low Countries the Austrians and Spaniards had combined forces against the Protestant States on the left bank of the Rhine, and captured several important towns, including Wesel. The Elector Palatine, James's son-in-law, was in danger of attack, and by our treaties with the Protestant Powers, we were bound to go to the assistance of our allies. It now seemed to Somerset an imperative necessity to secure European peace by an English alliance with Spain, which would have led to a cessation of hostilities on the Rhine. Yeomanry were called out in the English shires, but the Favourite, relying upon diplomacy, again made overtures to Count Gondomar, the Spanish Ambassador. He told him that the King had definitely decided to take the negotiations out of Sir John Digby's hands, and to entrust them to him. He appealed to Gondomar therefore to draw up a definite agreement regarding a match between the Prince of Wales and the Infanta, assuring him that James would make every concession in his power as to the religious difficulties. Gondomar was now in a mood to take advantage of Somerset's influence, and a provisional compact was drafted out by him and submitted to the Spanish King and Council.

They were in no hurry, and appealed first to the Pope, and then to a "Junta" of theologians to know what conditions, if any, would be satisfactory to the Catholic Church regarding a marriage between a Princess of the faith and a Protestant Prince. In reality Olivares, the Spanish Prime Minister, a deeply astute man, was dangling these negotiations under the nose of King James as a means of keeping England neutral, as far as possible, in the game that was being played on the Rhine. In the minds of the Spanish Council there was no idea of handing their Infanta over to England, unless she were safeguarded in her faith by the most stringent conditions, and unless English Catholics were relieved from all persecution. But my Lord of Somerset did not know the mind of the Spanish Council like Digby, whose advice was contemp-

tuously ignored, and the Favourite, believing in his own policy and powers, used all his influence to achieve the impossible—an intimate alliance with Spain. In doing so he became more and more an object of suspicion to many English nobles who, having inherited the Elizabethan traditions, had no liking for this policy. They were suspicious of the Favourite's visits and correspondence with the little Spanish spy, and those who had clean hands believed that he drew gold from the Spanish Treasury.

Apart from this, there were many noblemen who began to grow restive under the autocratic sway of this Scotsman. It seemed to them that he was swollen with too many titles, and that he stood between them and their master. He had thrown in his lot with the Howards, and that family tended more and more to control the Court by an organised clique. As time went by, their opponents also organised themselves into a rival faction, and the Favourite found himself opposed, secretly and openly, by nearly every great lord who was not a member of the family circle.

It wore upon his spirits. He lost his old carelessness and gaiety and affability. His nerves were jangled by those Court discords, and he became morose and arrogant towards all whom he conceived to be his enemies, even towards the King, his affectionate master. He does not seem to have had much respect or affection for James from the beginning. In his letters to Overbury there are phrases which show little respect for his Sovereign, who had bestowed such favours upon him. In these later days he adopted a rather bullying manner, which James bore patiently, but secretly resented. Perhaps there were causes for this new style of behaviour unknown to the King. The Favourite suffered a good deal from physical ill-health, but we may suspect that all was not well with his mind. Perhaps the memory of his former friend caused him some moodiness, and the thought of letters which still remained in dangerous hands. Perhaps also by this time he had discovered the real character of the woman he had taken as his wife. Had she revealed any

of her secrets to him? Had some accident put him in possession of that dread secret about Overbury's death, which was known to so many base people? We do not know what relations now existed between husband and wife, and whether any love survived their first passion. But as we shall see later, there is reason to believe that Robert Carr, Lord Somerset, had discovered something which caused him great fear, and that his affection for the woman had disappeared so entirely that he was looking elsewhere for those amorous delights which his nature desired. All this was sufficient to change the man, but there was another cause of worry and discontent.

It was the introduction to Court of that young gentleman, Mr. George Villiers, who had attracted the King's eyes during the performance of "Ignoramus" at Cambridge. This handsome youth was of good family and upbringing, but so poor that he had only fifty pounds a year to call his own, and "an old black suit broken out in places." The son of Sir George Villiers, now dead (who was of an old Leicestershire stock, which had come over with Norman William), and of Mary Beaumont, a woman of great beauty and charm, he had received an ordinary schooling in his boyhood, and afterwards went, like so many young English gentlemen, to France, to learn the language and the fine manners of that elegant nation. In the Paris of Henry IV. and Marie de Medici he had lounged in the taverns and hung about the Court, getting experience of life and drinking the wine of youth. Then shortly before his visit to Cambridge he had come home again, not too Frenchified, we are told, but with a gay and easy style, which was more attractive than fine clothes. As yet he was without a career; but he had ambitions, and became a hanger-on of that pleasure-loving society which surrounded the first Stuart King, hoping to get some place in the Household which would give him a competence and scope for his talents and address. Luck and a winning countenance were on his side. He had the good fortune to be noticed by the King, and His Majesty,

always peculiarly stirred by the beauty of young manhood, went out of his way to have gracious conversation with him. The quick eyes of the courtiers observed this affectionate interest of the King, and, taking stock of the young man, who seemed to them modest and well-mannered, it struck one or two of them that here might be a tool by which they might undermine the position of the great Favourite. Sir Thomas Lake, a disappointed man, thwarted in his ambition to get the Secretaryship, seems to have been the first to conceive the idea. He became his patron, and supplied him with finer clothes than his old black suit "broken out in places," so that the youth could get more easily into the antechamber of the Court, where the gallants of his own age, and older men, were magnificent in their costly dress. We do not know how many times the King smiled upon him before it became clear to those who watched that Mr. Villiers "was worth backing as a winning horse." But in November of 1614 his name was already familiar with the gossips. In that month John Chamberlain, writing to his friend, Carleton, says: that "the fortune of Villiers, *the new Favourite*, seems to be at a stand." And in December he writes again: "In spite of poverty, a Masque is preparing, towards which the King gives £1,500. The principal motive for it is said to be the gracing of young Villiers."<sup>1</sup> In April of 1615 Lord Carew, sending to Sir Thomas Roe, ambassador to the Great Mogul, "the ensuing rhapsody of things past," mentions as one of the notable things of the previous four months that there is great talk at Court of the rising fortunes of Mr. Villiers, "a gentleman of good parts."<sup>1</sup>

Young George Villiers must have been surprised at the number of great people who were willing to befriend him, to place him in the King's way. The truth is, that Sir Thomas Lake's notion of running him as a rival to Somerset had been taken up by persons of higher rank. William Herbert, Earl of Pembroke, who, having been

<sup>1</sup> Domestic State Papers.





From an engraving after an original picture.

WILLIAM HERBERT, EARL OF PEMROKE.

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defeated in his claim to the post of Chamberlain, was now Somerset's most deadly opponent, and Lucy, Countess of Bedford, were among those who supplied the youth with money and gave him a place at entertainments where the King was present.

Then one day a great meeting took place at Baynard's Castle, Pembroke's palace near the Fleet, where many members of the rival faction to the Howards—the Herberts, the Seymours, the Russells, and other great families—held a solemn consultation upon the possibility of raising this young gallant to the place held by their enemy.

They formed a kind of syndicate to exploit him, and found many hopeful qualities in him which might secure the success of their intrigue. In the first place, he was of good English blood—and an English favourite would be better than a Scotch one. Then he was modest and ingenuous—a pleasant contrast to the gloomy arrogance of a man who during recent months seemed to be hag-ridden, and was very morose. If Villiers were raised by their means, he would be grateful to his patrons, and they could use him as a tool in their own interests.

At the conclusion of this meeting, which was to have very serious results in English history, the guests separated. Some of them passing down Fleet Street towards Whitehall happened to notice a painter's stall, where a picture of Somerset was put up for sale. One of them, as sign of scorn for the great man whose downfall they were plotting, ordered his servant to throw some mud on his face. The fellow obeyed willingly, and it was thought a merry jest.

Sir Thomas Lake now purchased the office of cup-bearer to the King for Mr. Villiers, and Somerset and his followers began to realise that there was a scheme on foot which might prove very dangerous. "This was quickly discovered," says Sir Henry Wotton, "by him who was still, as yet, in some possession of the King's heart. For there is nothing more vigilant, nothing more jealous, than a favourite, especially towards the waning time."

Insult was answered by insult. My Lord of Somerset

had his servants, and the incident of the mud-slinging called for revenge. One day, as Villiers sat at the Royal table, a serving man, with evident malice, spilt a dish of soup over his fine clothes. They had been paid for by his patrons, but George Villiers would not have a suit spoiled and sit smiling. Quick-tempered as he was always, he sprang up and gave the insolent serving man (who, of course, was a gentleman in rank) a clout over his ear. It was a rash act. To give a blow in the presence of the King's Majesty was an offence to be punished by mutilation of the right hand; and my Lord of Somerset, as Lord Chamberlain, was the man appointed by an old law to superintend the execution, and "to be ready at the place and time as shall be appointed to sear the stump when the hand is stricken off."<sup>1</sup> Villiers had given himself to his enemy, and Robert Carr, Earl of Somerset, must have smiled grimly at the thought of his revenge. But the King ruled otherwise, graciously pardoning the fiery young man. When the courtiers noised the story abroad the world said that the young Englishman "had gained a clear conquest over the Scot."

At this time, however, Villiers became entangled in an affair of the heart, which seriously jeopardised his chances of advancement. He fell in love, and plighted his troth to Sir Roger Ashton's daughter. It was a blow to the syndicate, and one of them, Sir John Graham, plainly told the young man that he must not indulge in this foolishness, as there were greater things in store for him. Villiers seems to have been easily convinced, and jilted the girl who had given him her heart.

Then his patrons had a disappointment. Graham begged the King to give a place to Mr. Villiers in the Bedchamber, but the Earl of Somerset, who had not yet lost his hold over the King, frustrated his enemies' scheme by securing the position for one of his own nephews. It was clear that his influence was still great, and that his power was not to be defied without a struggle.

<sup>1</sup> 33 Henry VIII, c.12.



The Syndicate now decided to enlist the support of the Queen, who had consistently nourished a hatred against Somerset. It was one of the King's little games of make-believe that he would not take a new man into his favour unless the Queen consented thereto. He could not have been sincere in this, because he had no ardent affection for his Danish Consort, and, living apart from him, she had very little influence in his Court. But James was a man with a strange sense of humour. Perhaps also, though he had no love for her, he feared her nagging. Be that as it may, he did pretend at times that Her Majesty was to be consulted on the favours to be shown to new gentlemen at Court. Abbot, the Archbishop of Canterbury, bears witness to this.

"King James had a fashion," he says, "that he would never admit any to nearness about himself, but such an one as the Queen should commend unto him, and make some suit on his behalf; that if the Queen afterwards, being ill intreated, should complain of this, '*Dear one,*' he might make in answer, '*it is long of your self, for you were the party that commended him unto me.*' Our old Master took delight strangely in things of this nature."<sup>1</sup>

My Lord of Pembroke, and other members of the rival faction to Somerset, went therefore to the Queen, and earnestly solicited her to use her interest on behalf of young Mr. Villiers.

"That Noble Queen (who now resteth in Heaven)," says the Archbishop, "knew her husband well, and having been bitten with Favourites both in *England* and *Scotland*, was very shie to adventure upon this request."

Failing in their purpose, the Syndicate went to the Archbishop himself, knowing that he had great influence with the Queen, and knowing also that it was because of his opposition to the divorce between the Earl and Countess of Essex that he was now in disgrace with the King and Somerset. Dr. Abbot was eager to fulfil their wish, believing, with them, that Villiers would make a better favourite

<sup>1</sup> "Rushworth's Historical Collections,"

than the man who now controlled the Court and country. But for a long time he could not prevail with the Queen. Her Majesty, though she had no love for Somerset, was not persuaded that George Villiers would be an archangel.

*"My Lord," she said, "you and the rest of your friends know not what you do: I know your Master better than you all; for if this young man be once brought in the first persons that he will plague must be you that labour for him; yea I shall have my part also. The King will teach him to despise and hardly intreat us all, that he may seem to be beholden to none but himself."*

The Archbishop, who lived to watch the career of the Duke of Buckingham (then Mr. George Villiers), for whom he pleaded, writes a commentary to the Queen's speech. "Noble Queen!" he says; "how like a Prophetess or Oracle did you speak!"

At the time, however, he and his friends used every argument to persuade her, telling her that the change would be for the better.

"For George," they said, "is of a good nature, which the other is not; and if he should degenerate, yet it will be a long time before he were able to attain to that height of evil which the other has."

In the end their importunity prevailed, and Queen Anne condescended to express a wish to the King that he should confer knighthood upon the gentleman.

One of the strangest scenes in history took place in the palace of Whitehall on St. George's Day of 1615.

The Queen with Prince Charles had gone into the King's bedchamber to ask the favour, as prearranged. Outside, in the antechamber, was young George Villiers, who had been told by the Queen to keep within call until she might find an opportunity to summon him to His Majesty's presence. With him, on one side of the room, were the members of the Syndicate—the Archbishop, Pembroke, Bedford, Montgomery, and others. And on the other side were the Lord Chamberlain, Somerset, and the Lord Treasurer, Suffolk, and others of the Howard faction. My Lord of



From a mezzotint by W. Baillie, after a painting by Vandyke.

GEORGE VILLIERS, DUKE OF BUCKINGHAM.

p. 252.





Somerset stood moodily watching the King's door, and staring with his cold, blue eyes at the handsome youth, who, flushed with excitement, was chatting with the Archbishop.

At that hour the tall, flaxen-haired Scot knew that he was no longer alone in the King's affections, and that this young rival, backed by all the great nobles, save himself and the Howards, was playing a winning game. All the positions in the Royal Household, and especially the places of the Bedchamber, had been under his patronage; but now this Villiers was to be appointed Gentleman of the Bedchamber without the sanction of Somerset, who was Lord Chamberlain. It was a direct affront to him, and his pride would not suffer it. He made an effort to thwart his enemies, believing that he could bully the King into a refusal of the Queen's desire; and he had the audacity to send in a message asking that Villiers should be made a groom instead of a Gentleman of the Bedchamber. But observing this move of their enemy, the Syndicate made a counter-move. "Myself, and others that were at the door," says the Archbishop, "sent to Her Majesty that she should perfect her work, and cause him to be sworn a Gentleman of the Chamber."

Presently Villiers was called for, and when he was admitted the Queen told the Prince to draw his sword and give it to her. Then, says Bishop Goodman, who carries on the story, she knelt before the King "and humbly beseeched His Majesty to do her that special favour as to knight this noble gentleman, whose name was George, for the honour of St. George, whose feast he now kept." James, who was always nervous of cold steel, blinked at the weapon with his watery, blue eyes. "He seemed," says Bishop Goodman, "to be afeard that the Queen would come at him with a naked sword." But then he took the weapon, and with a joyful air gave George Villiers the accolade. "And," says the Bishop, "it might very well be that it was his own contriving, for he did much please himself with such inventions."<sup>1</sup>

<sup>1</sup> "Goodman's Memoirs."

It was a heavy blow to Somerset, and his temper did not improve under it. He began to realise that his influence with the King was waning, and he behaved foolishly. Instead of maintaining his place in the King's affections by the old affability and good nature which had first secured them—and James was very faithful to those he had once loved and trusted, and easily moved by an appeal to his emotions—he adopted a bullying manner with his master, plaguing him with constant complaints against his rivals, bursting into his private chamber at unreasonable hours, and generally behaving with ill-temper and petulance. With all the King's weakness, he was not lacking either in dignity or courage when his spirit was roused, and the time came when he thought fit to rebuke the man whom he had lifted up so high, and for whom he still cherished a real friendship. After sending him one or two notes of protest, which did not produce any effect upon my Lord of Somerset's temper or style of address, he sat down and wrote one of the most remarkable letters ever sent by a king to one of his subjects.

"First, I take God, the searcher of all hearts," he wrote, "to record that in all the time past of idle talk, I never knew nor could, out of any observation of mine, find any appearance of any such Court faction as you have apprehended, and so far was I ever from overseeing or indirectly feeling of it (if I had apprehended it) as, I protest to God, I would have run upon it with my feet, as upon fire, to have extinguished it, if I could have seen any sparkle of it. As for your informations, you daily told me so many lies of myself that were reported unto you, as (I confess) I gave the less credit to your reports in other things, since you could not be an eye-witness of it yourself.

"Next, I take the same God to record, that never man of any degree did directly or indirectly let fall unto me anything that might be interpreted for the lessening of your credit with me, or that one man should not rule all, and that no man's dependence should be put upon the King, or any such like phrases ; which, if I had ever found,

then would I have behaved myself as became so great a king, and so infinitely loving a master.

"Thirdly, as God shall save me, I meant not in the letter I wrote unto you to be sparing, in the least jot, of uttering my affection towards you, as far as yourself could require; my differing from your form in that point being only to follow my own style, which I thought the comeliest; so as having delivered my mind as fully to May<sup>1</sup> as you could have wished—having written this letter,—having quite turned my countenance from Graham,<sup>2</sup>—the like whereof I never did to any man without a known offence,—I having received your nephew in my bed-chamber, the fashion thereof being done in a needless bravery of the Queen, I did surely expect that the idle talk would wear out like the pope's cursing; especially seeing my own heart knew it to be without a ground. *For I am far from thinking of any possibility of any man ever to come within many degrees of your trust with me, as I must ingenuously confess you have deserved more trust and confidence of me than ever man did,—in secrecy above all flesh, in feeling and impartial respect, as well to my honour in every degree as to my profit, and all this, without respect either to kin or ally, or your nearest and dearest friend whatsoever; nay unmoveable in one hair that might concern me against the whole world.* And on those points I confess I never saw any come towards your merit; I mean on the points of an inwardly trusty friend and servant.

"But, as a piece of ground cannot be so fertile, but if either by its own natural rankness or evil manuring thereof it becomes also fertile of strong and noisome weeds, it then proves useless and altogether unprofitable; even so, these before rehearsed rich and rare parts and merits of yours have been of long time, but especially of late, since the strange phrenzy took you, so powdered and mixed with strange streams of unquietness, passion, fury, and insolent pride, and (which is worst of all) with a settled

<sup>1</sup> Sir Humphry May.

<sup>2</sup> Sir John Graham, one of the "Syndicate."

kind of induced obstinacy, as it chokes and obscures all these excellent and good parts that God hath bestowed upon you. For, although I confess the greatness of that trust and privacy betwixt us will very well allow unto you an infinitely great liberty and freedom of speech unto me, *yea even to rebuke me more sharply and bitterly than even my masters durst do*, yet, to invent a new act of railing at me—nay, to borrow the tongue of the devil—in comparison whereof all Peacham's book is but a gentle admonition,<sup>1</sup> that cannot come within the compass of any liberty of friendship. And do not deceive yourself with that conceit, that I allowed you that sort of licentious freedom till of late. For, as upon the one part, it is true you never passed all limits therein till of late; so, upon the other, I bore, God Almighty knows, with those passions of yours, of old dissembling my grief thereat, only in hope that time and experience would reclaim and abate that heat, which I thought to wear you out of, by a long suffering patience and many gentle admonitions; but the circumstances joined to the . . . .<sup>2</sup> made them relish ten times worse to my taste than otherwise they would have done if they had only remained *in puris naturalibus* of passions.

"For, first, being uttered at unseasonable hours, and so bereaving me of my rest, was so far from condemning your own indiscretion therein, as by the contrary it seemed you did it of purpose to grieve and vex me. Next, your fiery *boutades* were coupled with a continual dogged sullen behaviour, especially shortly after your fall, and in all the times of your other diseases. Thirdly, in all your dealings with me you have many times uttered a kind of distrust of the honesty of my friendship towards you. And fourthly (which is worst of all) and worse than any other thing that can be imagined, you have, in many of your mad fits, done what you can to persuade me that you mean

<sup>1</sup> Allusion has been made in these pages to Peacham's treasonable sermon and his imprisonment and torture.

<sup>2</sup> Illegible.



not so much to hold me by love as by awe, and that you have me so far in your reverence, as that I dare not offend you or resist your appetites.

"Now, whether all your great parts and merits be not accompanied with a sour and distasteful sauce, yourself shall be the judge. Consider likewise of the difference of the things that you lay to my charge and that I lay to yours. Here is not 'he said,' or 'she said,' no conjectural presumptions; I charge you with nothing but things directly acted or spoken to myself. I wish to God, therefore, and I shall both pray for it and hope it, that you may make good use of this little mirror of yourself, which herein I present unto you; it is not like Sir Walter Raleigh's description of the kings that he hates, of whom he speaketh nothing but evil; for this lays plainly and honestly before you both your best and worst parts.

"To conclude, then, this discourse *proceeding from the infinite grief of a deeply wounded heart*, I protest in the presence of the Almighty God, that I have borne this grief within me to the uttermost of my ability, and as never grief since my birth seated so heavily upon me, so have I borne it as long as possibly I can; neither can I bear it longer without admitting an unpardonable sin against God in consuming myself wilfully, and not only myself, but in perilling thereby not only the good estate of mine own people, but even the state of religion through all Christendom, which almost wholly, under God, rests now upon my shoulders. Be not the occasion of the hastening of his death through grief, who was not only your creator under God, but hath many a time prayed for you, *which I never did for any subject alive but for you*. But the lightening my heart of this burden is not now the only cause that makes me press you undelayedly to ease my grief; for your own furious assaults upon me at unseasonable hours hath now made it known to so many that you have been in some cross discourse with me, as there must be some exterior signs of the amendment of your behaviour towards me. These observations have

been made and collected upon your long being with me at unseasonable hours—loud speaking on both parts—and their observation of my sadness after your parting, and want of rest.

“What shall be the best remedy for this I will tell you—be kind. But for the easing of my inward and consuming grief, all I crave is, that in all the words and actions of your life you may ever make it appear to me that you never think to hold grip of me but out of my mere love, and not one hair by force. Consider that I am a free man, if I were not a king. *Remember that all your being, except your breathing and soul, is from me.* I told you twice or thrice, you might lead me by the heart and not by the nose. I cannot deal honestly, if I deal not plainly with you. *If ever I find that you think to retain me by one spark of fear, all the violence of my love will in that instant be changed into as violent a hate.* God is my judge, my love hath been infinite towards you ; and the only strength of my affection towards you hath made me bear with these things to you, and bridle my passions to the uttermost of my ability. Let me be met, then, with your entire heart, but softened by humility. Let me never apprehend that you disdain my person and undervalue my qualities ; and let it not appear that any part of your former affection is cold towards me. A king may slack a part of his affection towards his servant upon the party's default, and yet love him ; but a servant cannot do so to his master, but his master must hate him.

“Hold me thus by the heart ; you may build upon my favour, as upon a rock that never shall fail you, that never shall weary to give new demonstrations of my affection towards you ; nay, that shall never suffer any to rise in any degree of my favour, except that they may acknowledge and thank you as a furtherer of it, and that I may be persuaded in my heart, that they love and honour you for my sake ; not that any living shall come to the twentieth degree of *your* favour.

“For, although your good and heartily humble behaviour

may wash quite out of my heart your bypast errors, yet shall I never pardon myself, but shall carry that cross to the grave with me, for raising a man so high, as might make him to presume to pierce my ears with such speeches.

"To make an end, then, of this unpleasing discourse, think not to value yourself so much upon other merits, as by love and heartily humble obedience. It hath ever been my common answer to any that would plead for favour to a puritan minister by reason of his rare gifts, that I had rather have a conformable man with but ordinary parts, than the rarest man in the world, that will not be obedient; for that leaven of pride sours the whole loaf. What can or ever could thus trouble your mind? For the exterior to the world—what can any servant expect of their prince but countenance or reward? *Do not all courtesies and places come through your office as chamberlain, and rewards through your father-in-law as treasurer? Do not you two (as it were) hedge in all the Court with a manner of necessity to depend upon you?* And have you not besides your infinite privacy with me, together with all the main offices you possess, your nephew in my bedchamber?—besides another far more active than he in Court practices? And have you not one of your nearest kinsmen that loved not to be idle in my son's bedchamber? With this should you have silenced these news-bringers and makers of lies, for no other thing is left you behind but my heart, which you have neither cause to doubt, nor, if it did need, could they counsel or advise you how to help.

"Thus have I now set down unto you what I would say, if I were to make my testament; it lies in your hands to make of me what you please—either the best master and truest friend, or if you force me once to call you ingrate, which the God of heaven forbid, no so great earthly plague can light upon you. In a word, you may procure me to delight to give daily, more and more, demonstrations of my favours towards you if the fault be not in yourself."<sup>1</sup>

This letter is even more remarkable than that of Over-

<sup>1</sup> "Letters of the Kings of England," edited by Halliwell.

bury to the same man, written from prison. It reveals the real depth of affection which the King had for his favourite, even at a time when young George Villiers had been taken to his heart. It was not so much the letter from a king to a subject, though James upheld his dignity in phrases of real nobility, but from one man to another, between whom there had been the most tender and intimate bonds of friendship. One is startled at the long patience of the King to one whom he had raised from insignificance. It is clear from his words that Robert Carr had, almost from the beginning, been passionate and headstrong; that, indeed, he had shown too clearly his contempt for "the person and qualities of his master."

Yet James had dealt with him gently, hoping to win him from those tempers by many gentle admonitions. Then lately he had grown more sullen and even abusive. One cannot help smiling at the reiterated grievance of the King, at Somerset having come to him so often at "unseasonable hours"; but there is something pathetic in the King's sadness after such interviews, when the gentlemen-in-waiting had been startled by their loud words, and when the King could not get to sleep again, tortured by the thought of his Favourite's unkindness. This letter, written "from the infinite grief of a wounded heart," must have taken James an evening to write; and one can see him now, moved with a great emotion, and putting down words which eased, perhaps, a mind which had for long suffered from pent-up indignation.

Every one of those words rings true. There is no hollow sound in those expressions of love towards a man who had served him, as he believed, faithfully and secretly. And though it was a letter of rebuke, stern and resolute, to check disobedience to which he had submitted too long and too patiently, it forces upon one the conviction that James still cherished the memory of his old tenderness towards Somerset, and was honestly determined, if he would only reform his manners and "be kind," not to supplant him by any other man—not even by young



George Villiers, who was in his thoughts as he penned some of his sentences.

"I shall never suffer any to rise in any degree of my favour, except they may acknowledge and thank you as a furtherer of it," he said; and that promise inspired him with the desire to effect a friendship between Robert Carr and George Villiers.

His Majesty had been on a "Progress" in the country, stopping, among other places, at a "joynture house" of Sir George Villiers's mother, where he was magnificently entertained. Perhaps he was glad to get away from the ill-humours of the flaxen Earl, who stayed behind, sulking, at Whitehall; but on the way back to town the King remembered, with some degree of contrition, the man who was still called "the Favourite," in spite of Villiers. He became anxious to use all means to reconcile these two gentlemen, and with this in view he employed Sir Humphry May, who was in Somerset's service, but also friendly with Sir George, to use his influence (not revealing his instructions from the King) to arrange a compromise between the Earl and the young knight. Sir Humphry was eager to fulfil his diplomatic mission; but travelling ahead, and coming to my Lord of Somerset's presence, he was more blunt than discreet.

"My lord," he said to the Lord Chamberlain, "Sir George Villiers will come to you to offer his service, and desires to be your creature; and therefore refuse him not; embrace him, and your lordship shall still stand a great man, though not the sole favourite."

The Earl listened grimly, and did not seem to welcome this advice, so that Sir Humphry May then told him in plainer terms that he had been sent by the King to persuade him to a reconciliation, and that Villiers would presently come to cast himself upon the protection of his lordship, and to take his rise under the shadow of his wings.

Half an hour after Sir Humphry had left the Lord Chamberlain, Sir George Villiers came in, hat in hand, and very obsequious to the great man.

"My lord," he said, "I desire to be your servant and your creature, and shall desire you to take my Court preferment under your favour; and your lordship shall find me as faithful a servant unto you as ever did serve you."

The Earl, with a quick glance from his cold blue eyes, answered very sharply:

"I will none of your service, and you shall have none of my favours. I will, if I can, break your neck, and of that be confident."

Sir Anthony Weldon, who tells this story, vouches for "these very words"; and although some stories in the narrative of that Puritan knight show a greater zest for scandal than for truth, we may well believe that some such scene did occur, for, as we have seen by the King's own words, His Majesty had sworn not to raise any one unless they acknowledged Somerset's authority and influence.

It would be an utter mistake to imagine that at this time the Earl of Somerset was in immediate danger of losing his high place and influence owing to the younger man's arrival at Court. Villiers was still only a simple knight, without office, and numbered among the gentlemen-in-waiting who amused the King by their monkey-tricks, but had no business in affairs of State. Somerset, on the other hand, was still in possession of the Privy Seals, and with the King's complete confidence still controlled our foreign policy. In April and May of this year (1615) he was again employed in the negotiations with Spain, using Sir Robert Cotton, the antiquary, as his secretary and confidential agent. This subject of diplomacy had now reached a crisis, for Sir John Digby sent over the articles containing the conditions laid down by the Spanish Council in the event of a marriage between the Infanta and the Prince of Wales. They were of such a character that the King would have done well to consider them as a final proof of the impossibility of the proposed match. James was asked to agree that any children born of the marriage should be baptised as Catholics and educated by

their mother, and that if upon coming of age they chose to adopt their mother's religion they should be free to do so. They were to be brought up in a Catholic atmosphere, by Catholic nurses, and waited upon by Catholic servants. There was to be a Catholic chapel at Court open to every one; the priests attached to it were to wear their clerical habits in the streets; and, finally, the penal laws against the "recusants" were to be repealed.

All this was no doubt essential from the Spanish point of view. It was absolutely impossible from an English point of view. James was the king of a Protestant country, and had already been denounced by the Puritans for allowing too much leniency to those of the old faith. If such articles had been accepted civil war would have broken out within a month. James himself was fully aware of this, and jotted down various notes showing that in every detail the articles would have to be modified if the negotiations were to be conducted on a reasonable basis. Somerset was at his elbow, and persuaded him that it was merely the policy of the Spanish Council to ask for more than they could expect, and that assuredly there would be no difficulty in the way of a compromise if James himself did not hold out for too much.

James was, at this time, in a nervous condition of mind. The troubled condition of the country had produced more than one case like Peacham, and a Jesuit priest named Owen was now on trial for having incited the Catholics to assassinate a king who had been declared "excommunicate" by the Pope. Undoubtedly there was a seething indignation in the nation against the Government, but this was due not more to religious persecution than to the illegal methods of raising money. James, however, fell into panic that his life was threatened by those who had been fined and imprisoned for their faith. So nervous was he that he slept in a bed surrounded by three other beds as a barricade; and when he moved from place to place he drove as rapidly as possible, escorted by a troop of running footmen, who were ordered to prevent any attempt

to approach him.<sup>1</sup> It is possible that he was induced to yield more to the Spanish Council with the idea of gaining the friendship of Catholics in England and establishing a religious peace in the kingdom. If so, it was a short-sighted policy, for the knives of Puritan fanatics would have been sharper than those of persecuted "recusants." Whatever the reason may have been, however, it is certain that he showed himself more willing to favour the articles of the marriage treaty than he was at a later time, when those conditions were less objectionable.

Instructed by Somerset, who, by bullying or persuasion, had gained this concession from his master, Sir Robert Cotton called on Count Gondomar, or Sarimento, by which name he was then known. He "was mad with delight," he said, at having been made the channel of such a communication. At last, he added, a proposal was opened of his being able to live and die a professed Catholic, as his ancestors had done before him. The day was to come when Sir Robert Cotton was anxious to forget those words ; but now, when they were heard by Gondomar, the Spanish Ambassador rose and took the bearer of this good news to his arms. A week or two later (on July 3) Cotton again called on the Ambassador, and said that His Majesty had ordered the negotiations with France to be broken off. If Count Gondomar had a commission from Spain to negotiate on the marriage treaty, King James would give one to my Lord of Somerset.

It was a victory for the Lord Chamberlain, and proved to the Court that the Earl was still supreme in the affection and trust of the King. But Somerset's own arrogance and hectoring spirit were soon the cause of fresh rumours that he was losing ground. The truth was that James was again seriously mortified by the ill-behaviour of his Lord Chamberlain ; and, resolving that he would not submit tamely to his tempers, he marked his displeasure by relieving him of the office of Warden of the Cinque Ports, which upon Lord Northampton's death had been entrusted to him provisionally.<sup>1</sup> He gave this coveted post to Lord Zouche,

<sup>1</sup> "Gondomar's Despatches," quoted by Gardiner,



who had not even asked for it. Further than this, when Somerset asked him to confer the vacant office of Lord Privy Seal upon Bishop Bilson (who had been so zealous in the Essex divorce), the King refused to give an immediate reply. The Bishop of Winchester himself was dismissed "with good words," the King telling him, "that he thought well of him, and perhaps meant to bestow the place upon him, but he would take his own time, and not do it at other men's influence."<sup>1</sup>

There was another straw which showed how the wind blew at Court. Mr. Henry Gibbs, a young Gentleman of the Bedchamber, was desired to absent himself, on account of misconduct. It was rumoured that the reason for this disgrace was the carrying of "a scandalous message" or, as some said, a letter, to Mrs. Murray of the Queen's Bedchamber from the Lord Chamberlain. Anyhow, it was taken as "an ill-sign and cross-blow to *somebody else*."<sup>2</sup> It would be interesting to know the secret of that message. Was the Earl carrying on an intrigue with this young Scottish lady? History is silent on the subject, except for the bald fact; but there is a natural question in one's mind as to whether this was the first proof that Somerset's passion for the lady Frances had grown cold.

The Earl protested against the King's displeasure in angry letters, which were answered by another rebuke, in which there is none of His Majesty's old tenderness towards his hot-tempered Favourite.

"I have been needlessly troubled this day," he wrote from Theobald's between July 13 and 19, "with your desperate letters; you may take the right way, if you list, and neither grieve me nor yourself. No man's nor woman's credit is able to cross you at my hands if you pay me a part of that you owe me. But how can you give over that inward affection, yet be a dutiful servant? I cannot understand the distinction. Heaven and earth shall bear me witness that, if you do but half of your duty unto me,

<sup>1</sup> Chamberlain to Carleton, "Court and Times,"

<sup>2</sup> *Ibid.*

you may be with me in the old manner, only by expressing that love to my person and respect to your master, that God and man crave of you, with a hearty and feeling penitence of your bypast errors. God move your heart to take the right course, for the fault shall be only in yourself; and so farewell."<sup>1</sup>

But for these letters of the King it would be almost incredible that Somerset should have so wantonly endangered his own fortune. He was encompassed with enemies eager to drag him down, eager to tear his reputation to tatters if they could discover one foul blot. He was faced by a young man whose handsome looks were so much more enchanting than his own, now that care had put crows' feet about his eyes, and the memory of unforgettable secrets had made those eyes sink into their sockets, so that there was only the wreck of a former beauty in his face. He was walking on a precipice, and at any moment the ground might slip beneath his feet and hurl him to destruction. Yet he was passionate with the master who alone could defend him from his opponents, and bullied that fond, doating man, who, in spite of all, was ready to forgive and smile upon him. It was an extraordinary and mad behaviour; yet the truth is no doubt that Somerset counted upon the King's weakness, and upon the real humility and tenderness which lay beneath his assumption of dignity and autocracy. He had tried his patience so often, and obtained forgiveness so often, that he did not believe James could ever defy him, or thrust him down.

Probably he was right in thinking so. In the whole history of the reign of James there is not a single instance of his abandoning a friend once loved, unless he was accused of some great crime or fault which demanded public justice. We have seen how he overlooked Northampton's traffic with Spain. He was still amiable to Lady Suffolk, who was one of the Spanish pensioners. In later days, after the period of this narrative, George Villiers, then Duke of

<sup>1</sup> "Letters of the English Kings," edited by Halliwell.

Buckingham, behaved to him with just the same insolence as Carr was now doing, yet he did not disgrace him, but added favour to favour, and only wept when he was bullied. We cannot think, therefore, that he would have put down the Earl of Somerset from his high estate, however deeply he resented his behaviour. Indeed at this very time he went out of his way to confer upon him one of the most notable proofs of confidence that as King he might grant to any subject. In spite of his private rebukes he was anxious to stop the mouth of rumour and to give a public recognition of his trust in the Earl. Knowing now that Somerset had many enemies seeking some fault in him which would serve as a cause for impeaching him, and knowing also that the system of bribery, though universally practised, was sometimes used to serve as an accusation against the integrity of a State official, James sent for Sir Robert Cotton and ordered him to draft out a Royal pardon for Somerset on account of any offences he may have committed in the past. Astounding as this seems to modern minds, it was not without precedent in the time of James. Cotton readily obeyed, and by the King's command the pardon was sanctioned by the Council.

Under the date of July 7, 1615, it is filed as a Release to the Earl of Somerset for all sums of money, jewels, plate, etc., belonging to the King, which have passed through his hands, and pardon for all minor offences, or frauds, conspiracies, extortions, contempts, etc., but not for any other offence affecting life or limb.<sup>1</sup>

Sir Henry Yelverton, however, who in his office as Solicitor-General was appointed to examine this document, refused to certify its fitness for passing the Great Seal, because it included offences for which pardons were not usually granted. The Lord Chancellor Ellesmere seems to have supported the Solicitor.

When the refusal was reported to Somerset he directed Cotton to draw up another pardon, of a more general kind, and Sir Robert modelled it upon one granted to Wolsey

<sup>1</sup> Domestic State Papers.

by Henry VIII. Before long it was held to be a significant thing that among the crimes absolved was that of being *accessory before the fact to murder*.<sup>1</sup>

Lord Chancellor Ellesmere again refused to pass this pardon, and sent word to Lord Somerset that he would inform the King and Council of his reasons for holding back. The Council meeting was held on July 20, the King being present, and the Earl of Somerset pleaded his own cause in words which, it is said, were prearranged by James. The only reason for asking a pardon at all, he said, was the malice of his enemies. Let the Lord Chancellor accuse him at once if he had any charge to bring.

After the Earl had spoken the King commanded silence. "My Lord of Somerset," he said, "has acted rightly in requesting a pardon." While James himself lived the Earl would have no need of it, and he wished all present to undeceive themselves if they thought otherwise. But he wished that the Prince, who was standing by, might never be able to undo that which his father had done. "Therefore, my Lord Chancellor," he said, "seal it at once, for such is my pleasure."

The Lord Chancellor Ellesmere burst into tears, and, throwing himself on his knees, asked the King if he wished the Earl of Somerset to have permission to rob him of all the jewels and furniture in his charge; for such would be the case if the pardon were sealed.

"If your Majesty commands me to seal this pardon," he said, "I will do so, provided I have first a pardon for myself for so doing."

James was angry at this opposition to his wish. He rose from his chair, and went to the door of the Council Chamber.

"I have ordered you to pass the pardon," he said sternly, "and pass it you shall."<sup>2</sup>

<sup>1</sup> In the report of the trial this was given as accessory before the fact to *poisoning*, but, as Gardiner says, it is certainly an embellishment of the speaker or reporter.

<sup>2</sup> "Gondomar's Despatches," quoted by Gardiner.



As soon, however, as the King had passed into his own chamber he was visited by the Queen and many of the great lords who belonged to the faction against the Favourite, and they used every argument in their power to persuade him against this pardon. Either he was shaken in his convictions, or could not find courage to resist such a strong opposition, led by the Queen herself; or was anxious to get away into the country for the new "progress" upon which he was then starting. He left the question for further consideration, and went from Whitehall with the matter still unsettled.

It was the heaviest defeat yet suffered by the Earl of Somerset, and it must have been in a gloomy mood that he accompanied his master from the Court, or went down to Greys, where his lady was expecting to become a mother.

Of the rumour of this coming event, "the world is so incredulous," writes John Chamberlain, "or so malicious, that the most part will scant believe there is any such matter."<sup>1</sup>

The Earl of Somerset was still in high power, and to the world outside the circle of the Court, it seemed as if the sunshine of his fortune was in full splendour. But there were black clouds gathering about him, which were soon to break into a storm that would make shipwreck of his life.

<sup>1</sup> "Court and Times."

## CHAPTER XIII

### THE DISCOVERY OF THE POISON PLOT

A FEW days before the King returned to his mansion at Royston, after a round of visits to country houses, Sir Ralph Winwood, the new Secretary, heard some startling news. It was a rumour, or something more than a rumour, that Sir Thomas Overbury had met his death in the Tower by foul means.

This accusation did not come from any home source. It was borne across the Channel from Flushing, where an English boy on his deathbed unburdened himself of a dread secret, so that his soul might be lightened on its way to eternity.<sup>1</sup> This boy was the assistant of the son of Dr. Paul de Lobell, the French physician in attendance on the prisoner in the Tower, and he confessed that he had been bribed to supply a poisoned injection to Sir Thomas Overbury.

Secretary Winwood went down to Lord Southampton's house at Beaulieu, where the King was staying, and told this ugly tale to his master. It was, however, of too general a character to warrant any proceedings, and both the Secretary and James himself may have believed that it was one of those fabulous poison stories which cropped up from time to time when any person of quality died.

It seems likely that Sir Ralph Winwood, or one of his correspondents, mentioned the rumour publicly, and that it was the subject of gossip in a Court where any scandal

<sup>1</sup> Wilson, in "Kennet."

went quickly up and down the corridors ; for it reached the ears of Mrs. Turner and gave her a great scare. She was staying at the time at Greys, near Henley, with Lady Somerset ; and when one of her spies brought word of these whisperings about Overbury's death she sent a messenger post-haste to Richard Weston, the gaoler, that he was to make all haste to meet her at Ware.

Weston does not seem to have found any difficulty in getting leave of absence. The worthy Lieutenant was always very kind to him. He therefore set out on his journey, but getting to the place appointed did not find his former mistress. She sent him a message, however, and on the following day they met in a tavern at Hogston. It must have surprised the innkeeper when this elegantly dressed woman drove up to his poor place and inquired for the gloomy man who, to all accounts, looked his part of a gaoler remarkably well. They went into a private room, and whispered their fears to each other. Then they agreed that if Weston were caught and examined he should truly confess who had recommended him to the service of the Lieutenant—that is to say, Sir Thomas Monson—though in former conversations it had been agreed otherwise. Whatever happened, however, he was to go straight back to the Tower and sound Sir Gervase [or Jarvis] Elways as to what he knew and what he would make known. Mrs. Turner would wait for that information, and then they would meet again in London on July 24, when she came back to town from Greys.

Weston went back to the Tower according to these instructions. As usual, he was playing a double game. He had not told Mrs. Turner that Sir Gervase Elways knew all there was to know, or nearly all, and to the Lieutenant himself he repeated his former mistress's instructions word for word.

"He was to sound me," says Sir Gervase, "whether he could perceive that I had got any inkling of the foresaid foul fact" [the murder] "or no ; and if I had whether he could perceive any desire in me to have it reaved into or not,

and what more he could discover in me ; for he said they stood doubtful of me. His mistress stood by until his return from me."<sup>1</sup>

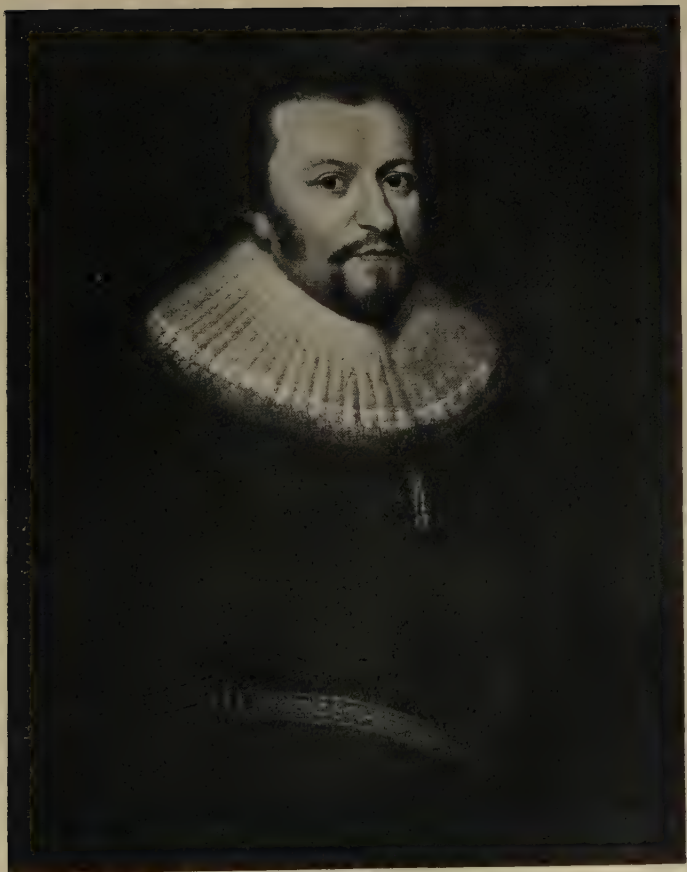
Undoubtedly Mrs. Turner was the agent of Lady Somerset in this strange meeting with one of His Majesty's gaolers at a low tavern in Hogston, and undoubtedly, also, that lady, who was to become a mother, must have been terribly scared by these "whisperings" at Court. We do not know whether the Earl heard the tale now, or, if so, whether he also became frightened. It is certain that, unlike his wife, he took no steps to hush the matter up, until more than two months later. It is probable that Lady Somerset herself began to think that her alarm had been premature, and that nothing more would leak out, for it was not until early in September that Sir Ralph Winwood was able to gain any further information. It was then by an extraordinarily lucky hit in conversation.

The Secretary was dining at the Earl of Shrewsbury's house, not far from Whitehall, where the Lieutenant of the Tower was a guest, being very much in the favour of that nobleman. Lord Shrewsbury privately commended Sir Gervase as "a person, in respect of his many good qualities, very worthy of his acquaintance." It was then that Winwood shot his bolt. He would very willingly embrace the Lieutenant's acquaintance, he said, but "that he could first wish he had cleared himself of a suspicion the world generally conceived of him, touching the death of Sir Thomas Overbury."

Shrewsbury was startled, and repeated the words to his friend. Sir Gervase, believing that Winwood knew a good deal, and very ambitious to have his friendship, took him on one side and told him something of what had happened with regard to Weston the gaoler, hinting also that the man had been employed by Lady Somerset, then Frances, Countess of Essex. He explained that he had

<sup>1</sup> Letter of Elways to the King, September 18, 1615. Domestic State Papers.





From a photo by Emery Walker, after a picture in the National Portrait Gallery by Michiel Jansz van Miereveldt.

SIR RALPH WINWOOD.



greatly abhorred the attempts upon Overbury and had done everything to prevent them.

Winwood listened to these words as if they only confirmed what he knew, and he parted from the Lieutenant of the Tower in a very friendly and familiar manner as if he were satisfied with the excuse of the man's own behaviour.<sup>1</sup> In his heart he was deeply excited by the conversation. Putting together the shreds of information he had gathered from the Lieutenant, and from his Flushing correspondents, he saw the extreme gravity of the case. As yet there was nothing but a vague suspicion against Lady Somerset, but knowing in what relation Sir Thomas Overbury had stood to the Earl, and the stories about his imprisonment, it seemed to him that here was something that might cause the ruin of the man who was his master.

Winwood, this Puritan, who had been the man in black at the wedding of the Earl and Countess, where all other dresses were gay and splendid, who had haunted the antechamber of the great man and offered him obsequious service, who had given costly marriage presents, and had bribed his way by heavy sums of gold into the office of Secretary, was not a friend of Somerset. He hated his Spanish policy. He bitterly resented the restricted powers allowed to him in all matters of foreign policy and correspondence. If he could find him guilty of this crime, my Lord of Somerset would no longer control the foreign policy of England, or stand between the King and his faithful servants.

Winwood lost no time in putting the whole story before James, and the King, deeply shocked by what he heard, but not yet understanding that his Favourite was seriously implicated in the matter, ordered Winwood to obtain a written statement from the Lieutenant of the Tower. Accordingly, Sir Gervase Elways wrote to the King a letter dated September 10. It contained what seems like a frank confession of the facts as far as he knew them.

<sup>1</sup> "Autobiography of Sir Symonds D'Ewes."

He began by describing the interview with Weston, when he had surprised him carrying the phial of poison, and had then, when the man admitted his purpose, put the fear of God in his heart.

"The first attempt *taking no success*" (he goes on), "there was advantage taken by my Lord of Somerset's tenderness towards Sir Thomas Overbury, who sent him tarts and potts of jelly. These were counterfeited, and others sent to be presented in their stead; *but they were ever prevented*: sometimes making his keeper [Weston] say my children had desired them: sometimes I made my own cook prepare the like; and in the end, to prevent the pain of continual shifts, his keeper willed the messenger to save labour, seeing he had in his house which pleased him well.

"Then by your own Maj<sup>ty</sup>'s progress, by which all such cullerable working was taken away; so as there was no advantage put upon the indisposition of Overbury's body. Here (as God in Heaven can witness) I was secure. His physician Mons<sup>r</sup>. Mayerne (who left behind him his directions), his apothecary<sup>1</sup> (at his physician's appointment), an approved honest man as I thought it, and still do.

"But (as Weston hath since conferred with me) here was his overthrow, and that which wrought it was (as he said) a clyster. This apothecary had a servant who was corrupted. Twenty pounds, Weston said, was given. Who gave it, who corrupted the servant, who told Weston these things, or what is become of the servant, I can give your Majesty no account, neither can I directly say that he ever named any as an actor in this business but Mrs. Turner."

The Lieutenant then gave the details of that interview between Mrs. Turner and Weston at Hogston, which has been described, and concluded his letter as follows:

"I have herein obeyed your Maj<sup>ty</sup>'s command, and have eased myself of a heavy burthen; for malice have

<sup>1</sup> Paul de Lobell.



I none, but other respect in the world. I have set down the truth, peradventure not the whole truth, but I have set down whatsoever is fundamental, and will be ready faithfully to answer whatsoever shall be demanded me.

"Your Maj<sup>ty</sup><sup>a</sup> faithfull and humble servant,

"GERVASE HELWYS.

"*The 10<sup>th</sup> of September 1615.*"<sup>1</sup>

This letter was sufficient to prove to the King that the case was of a very grave character. No names were mentioned save those of Mrs. Turner and Weston; but it was clear that they were agents of other and higher people. James was not a dullard. In a case like this he was quick-witted, having real ability in the analysis of evidence. Two statements in the Lieutenant's letter must have troubled him: first, that tarts had been sent into the Tower by the Earl of Somerset; second, that Mrs. Turner was the agent for the corruption of the gaoler. He must have known that this woman was in the service of Lady Somerset; and this knowledge was terrible in its significance.

James did not hesitate. This affair was not to be hushed up. Whatever was the truth of these suspicions—and perhaps there was no truth in them—they must be fully and honestly examined. The King gave orders, therefore, that the case should be put into the hands of Sir Edward Coke, the Lord Chief Justice. He knew that this fierce old man would track his way into the heart of the mystery, without fear of any great people. He was a sleuth-hound in all such matters, and had a genius for searching out the secrets of crime.

Sir Edward Coke did not betray his reputation. Seven days after the letter of Elways to the King the Lord Chief Justice began a series of examinations, which he continued with a dogged industry for many weeks. Weston was arrested, and on September 27 faced that stern judge, who questioned him with relentless determination to tear the truth from his heart.

<sup>1</sup> Domestic State Papers.

Unaware that the Lieutenant had already told his tale, Weston began by denying everything. He knew of no other cause for Sir Thomas Overbury's sudden death, he said, but "the weakness and corrupt indisposition of his body." He confessed that a powder had been given to Sir Thomas which made him very sick, but afterwards "going into the Council Chamber in the Tower to see a friend that was in Sir Walter Raleigh's garden, he sat so long in a window that he was never well after."<sup>1</sup>

On the following day Weston was again examined; and being asked about his conversation with the Lieutenant he at first utterly denied everything, but afterwards confessed that he had been stopped by Sir Gervase with the phial. Afterwards he threw the glass and water away. Being asked who gave him that glass and the water, he denied at first that he knew who gave it to him, but afterwards he said "*he had it of one Frankelyn, dwelling on the backside of the Exchange.*"<sup>2</sup>

It was not until October 1 that Weston was induced to mention the names of those who had employed him.

After he had obtained his place in the Tower, he said, Mrs. Turner, whom he had served formerly, and who went often to Lady Essex, asked him to go to Whitehall to see that great lady. This he did, and in the presence of Mrs. Turner the young Countess requested him to give Sir Thomas Overbury a water which should be sent to him, "but forbad him to drink thereof himself," though, she said, "it would do Overbury no harm." Weston was not a simple fool. He admits that he perceived, or suspected, poison. The Countess ended the interview by promising that if he did what she asked he would be rewarded.

It happened that Weston had a son, named William, who at that time was apprenticed to a haberdasher, who served the Countess with feathers and fans and other wares. This young man brought to his father one day,

<sup>1</sup> Domestic State Papers, September 27, 1615.

<sup>2</sup> *Ibid.* September 28, 1615.

from Lady Essex, *a little glass full of water of a yellowish and greenish colour*. This the Lieutenant surprised, and Weston then carried it away and set it in a study, "or inward room belonging to his chamber; and next day, in the presence of the Lieutenant, he threw it into a gutter and broke it."

"I protest," said Weston to the Lord Chief Justice, "that my son was not privy, or suspecting that it was poison, who dwelleth without Temple Bar at the Beaver Hat."

He told Mrs. Turner that he had given the water to Sir Thomas Overbury, and that it had made him very sick.

About a fortnight or three weeks after he had received the phial, "Franklyne, a physician who was well acquainted with Mrs. Turner," came to the tavern of the White Lion, on Tower Hill, and sent one of the servants of that place for Weston.

When the gaoler came, Franklin said to him :

"How doth he that you keep?"

"Not very well," said Weston, "for he takes much physic and many clysters" [injections].

Thereupon Franklin said the apothecary should have £20 to give Sir Thomas a clyster.

"What!" said Weston, "the apothecary that used to give him clysters?"

"No," said Franklin; "*another shall give it him.*"

Weston went back, and told all he had heard to the Lieutenant of the Tower, "who charged him *that none should come thither but the former apothecary or his man, and that no other came at any time, or gave any clyster to Sir Thomas Overbury.*"<sup>1</sup>

It will be seen that this statement of Weston's coincides in a remarkable way with the letter of Gervase Elways to the King; and one of the important points to notice in it is that if Sir Thomas Overbury were poisoned, the deed must have been done, according to both these statements,

<sup>1</sup> Weston's Examination, October 1, 1615, Domestic State Papers.

by Paul de Lobell, the French physician in attendance on the prisoner, or by one of his assistants.

Sir Thomas Overbury, said Weston, in the same examination on October 1, had a most disabled and unhealthful body, and had an issue of his left arm, plasters above the temples, on the left side of his head, and on his back, and on the sole of his foot, "which plasters for his sores his own servant Davies brought unto him." He had, said Weston, all the sores and plasters about him before he came to the Tower, saving that on his back.

He died on a Wednesday morning, and Weston came to him in the night, "for that he heard him groan exceedingly." And he removed him from his bed to another bed, which the gaoler brought into his chamber. Then the wretched prisoner, parched with thirst, sent Weston on an errand to fetch some drink; "and he, being gone from him not above a quarter of an hour to my Lord Grey's<sup>1</sup> for beer, at his return he found him dead, which was about seven of the clock in the morning."

He now confessed that Franklin did not bring the glass with the poison, "but that his own son brought it to him, and that ever since he charged Franklin therewith it had laid heavy on his conscience."

Weston must have suffered a continual torture as a punishment for his sins, for the Lord Chief Justice kept him on the rack by daily examinations. And every day Weston, pressed harder and harder, made further admissions, which drew the net closer about his accomplices and employers.

On October 2 he confessed that the Countess, "by one of her servants, whose name he knows not, sent a little pot of white jelly to him. *Knowing what to do with it*, but fearing it was poison, he cast it into a homely place, and never delivered it to Sir T. Overbury as was intended, and the like, he said, for the tarts that were sent."<sup>2</sup>

<sup>1</sup> Grey was a prisoner in the Tower for his share in the plot in which Lord Cobham and Sir Walter Raleigh were also implicated.

<sup>2</sup> Domestic State Papers, October 2, 1615.



Re-examined on the same day, he confessed to having received £180 from the Countess of Essex by the hands of Mrs. Turner.

"The apothecary's partner or servant that always ministered to Sir Thomas dwelleth in Lime Street, and married the sister of the King's apothecary" [Dr. Mayerne], "and is a Frenchman, but his name he remembered not."<sup>1</sup>

He said that Sir Thomas Overbury was sick about a month before he died, and decayed much in that sickness. The night before he died Lawrence [Davies], now butler to Mr. Lieutenant, lay within.

It will be seen that so far Weston had not said a single word implicating the Earl of Somerset, though he had said more than enough to put the blackest suspicion upon the Lady.

But on October 7 Sir Edward Coke summoned Lawrence Davies, Sir Thomas Overbury's servant, before him, and that man was the first to introduce the name of the King's Favourite and Lord Chamberlain. His evidence should be noted carefully, because it was that which told most heavily against the Earl.

"The lord of Rochester," he said, "wrote divers letters to Sir Thomas Overbury during his imprisonment, and as he [Davies] delivered one of them to Weston, the keeper (*for this examinant was not permitted to see his master, no, not in the presence of his keeper*), one little paper of white powder fell out of the letter, which was put in again, and delivered to Weston to deliver to his master. And Weston, not being able to read, did many times request him to read them. And this examinant said that the lord of Rochester signified to his master 'that the powder would make him sick, but that should be a cause for him to move the King the rather for his liberty.' After his master's death he [Davies] *saw in Weston's hands part of the white powder, which he said he would deliver back again to the lord of Rochester.*"<sup>2</sup>

<sup>1</sup> Paul de Lobell lived in Lime Street.

<sup>2</sup> Davies's Examination, October 7, 1615. Domestic State Papers.

There is a mystery about this man Lawrence Davies which no ingenuity can fathom, but which seems to show that, in addition to the extraordinary plots taking place in the Tower during Overbury's imprisonment, which are to a certain extent revealed by the evidence, there was some other game being played in which Overbury himself took a part; for in the early days of Overbury's incarceration he received a strange letter from his brother-in-law, Sir John Lidcott.

It would not do, said Lidcott, to acquaint Sir Robert Killigrew with the business. Overbury will be kept in prison on pretence of the King's wrath. He is cozened on all hands. *His servant Lawrence [Davies] must be had out of the way.* He advises him to send Lawrence an angry message, on which he may say he cannot endure the trouble he is at, and may take his dismissal, *when he shall be sent safely away under an assumed name.* Lord Rochester is to be cozened, for no honest quarter can be held with him.

Certainly Davies was not sent away, for he was with his master on the night of his death, and it is significant that he endeavoured to enter the Earl of Somerset's service after that event. It is difficult even to guess at the meaning of the letter, unless he was being tampered with by the Earl. But if he was suspected of being a traitor to his master he would not have been sent away under an assumed name, which implies consent on his own part, nor, on the other hand, would Overbury have kept him in his service. It is mysterious also that Sir Robert Killigrew should be kept in ignorance of whatever was going on, for, as we have seen in an earlier chapter, Killigrew accompanied Lidcott in his visit to the prisoner when he was taken ill, and was imprisoned for having held private conversation with the prisoner against the Lieutenant's orders. Look at it how we may, the letter is an enigma, and the only effect of it is to cast suspicion upon the evidence of the man Davies.

The most important point in that evidence was directly

contradicted by Weston in an examination *on the day before* Davies's statement was given to the Lord Chief Justice.

He confessed that he received letters from Davies, sent by my Lord of Rochester, to be delivered to Overbury, which, after showing to the Lieutenant, he delivered to the prisoner.

*He denied that in any of those letters were any papers with any white powder in them, or that he, after Overbury's death, redelivered to my Lord of Rochester the residue of the powder that remained.*

In the same examination Weston made another important statement, which again, if it were true, points to the real agent of the murder.

After he became Sir Thomas Overbury's keeper, he said, the prisoner had several baths given to him, and "*a little before his death, and as he taketh it, two or three days, Overbury received a clyster given him by Paule de Lobell.*"<sup>1</sup>

Meanwhile, Sir Edward Coke's industry was astonishing, and he examined a large number of people who could throw any light on the circumstances of Overbury's death. So far, however, he refrained from ordering the arrest of the Earl and Countess of Somerset, being anxious to accumulate a mass of evidence before taking that step.

Richard Weston's son, William, confirmed his father's statement that it was he who carried the "glass of water" from the Countess of Essex to the Tower. He had carried a feather to the lady on that day. Robert Bright, Coroner of Middlesex, gave witness of the inquest on Sir Thomas Overbury. The body, he said, was "worn to skin and bone," and an ulcer and blisters were found on it. His description tallies with that of Weston, and he affirmed that no one had spoken to him on the subject. Eleanor Dunne said that she was called to lay out Overbury's body, and found on him many yellow blisters. Simon Merston, one of the King's musicians, said that he

<sup>1</sup> Weston's Examination, October 6, 1615. Rawlins's Examination. Domestic State Papers, October 3.

carried small tarts and jellies for Overbury from the Countess of Somerset to the Lieutenant of the Tower, to whom alone he was ordered to give them.

But these witness were only small fry, and the Lord Chief Justice lost no time in summoning those whom he suspected to be the chief accomplices (under the Earl and Countess of Somerset) in the murder of Overbury. Mrs. Turner was one of the first to be arrested, and was placed in the charge of Alderman Jones. Franklin was also put under restraint, and confronted with his pay-mistress. Both of them, however, for some time strenuously denied everything stated by Weston, and Mrs. Turner, on October 12, was bold enough to send a petition to the Lord Chief Justice begging for speedy trial, or enlargement on bail, for the sake of her fatherless children. She hopes her turn on four examinations have proved her innocent of the things of which she is maliciously accused.<sup>1</sup>

On October 3 Sir Gervase Elways, the Lieutenant, said that it was Sir Thomas Monson who requested him to place Weston with Overbury, to prevent his receiving any letters; and he told him *such might be sent in tarts and jellies*. He thinks that Sir Thomas Monson is innocent of any knowledge of the murder.

Sir Thomas Monson himself, examined on October 5, said that he recommended Weston to be Overbury's keeper, at the request of the Countess of Essex and the Earl of Northampton. He required the Lieutenant to allow him neither visitors nor letters, *and advised him to search any tarts or jellies sent, for letters*.

On October 13 Henry Peyton, a former servant of Overbury, told the story of that conversation in the gallery at Whitehall, when his master upbraided the Earl for his intercourse with that base woman the Countess of Essex, saying that he would ruin himself by it, and that Sir Thomas would leave him to stand alone.

Sir Edward Coke had now in his hands sufficient

<sup>1</sup> Domestic State Papers,



evidence to prove, to his own satisfaction at least, that this was not an ordinary case of murder, but one inculcating many high personages. He was already convinced that the Earl and Countess of Somerset were the chief murderers, and that all others were only their instruments of revenge. The motive of the murder was not mysterious. It was Sir Thomas Overbury's opposition to the divorce between the Earl and Countess of Essex. He therefore petitioned the King to allow some of higher rank than himself to be joined with him in conducting the examinations. James at once consented, and on October 13, or thereabouts, nominated Lord Chancellor Ellesmere, the Duke of Lennox, and Lord Zouch.

All this while Somerset had been boldly protesting his innocence to the King, and expressing his utmost contempt for the statements of the witnesses which seemed to cast suspicion on him. It is probable that for a time, this behaviour half persuaded James that the Earl would have no difficulty in clearing himself of such terrible charges ; but when the Earl was summoned by Coke to come up to London to prepare for his examination, James took leave of the man whom he still regarded as one of his dearest friends with an undisguised emotion, in which his affection was mingled with the gravest fears. Somerset protested that it was insolent presumption of the Lord Chief Justice to summon him on such a charge, but James answered, "Thou must go then, for if Coke sends for me I must go too." Then "he embraced and kissed him often, wished him to make haste back, and show'd an extream passion to be without him."<sup>1</sup> But when the Earl had turned his back James was heard to say : "*I shall never see thy face more.*"

Wilson says that it was "with a smile" the King said these words, but Weldon, who was at Royston at the time, omits this. The incident has been made a charge of hypocrisy against the King, and it has been asserted by many writers that James was rejoiced at getting rid of a

<sup>1</sup> Wilson.

man of whom he had grown tired. But there is not the slightest foundation of truth in these statements, and all our evidence shows that the King was filled with the deepest grief at the shameful disgrace of the man he had loved with such extraordinary affection. When he uttered those words, "I shall never see thy face more," it was with the terrible conviction that, in spite of the Earl's bold denials, he was entangled in a mesh of evidence from which there would be no escape.

Somerset himself, as he rode up to London, must have known that at every thud of his horse's hoofs he was leaving farther behind him the splendour of his life at Court, as King's Favourite and First Minister of State, and travelling nearer to a prison from which he might never escape alive. He had put a bold face upon it all. To Sir Henry Wotton that very day he had been boasting of all the brilliant things he was going to do in the future. But in his heart the man knew that he had only a gambler's chance of winning his way through this network of suspicion. As he rode along the country lanes towards the great city, where not long ago he had been the hero of great feasts and pageants, he must have reviewed those secrets which for two years he had hidden successfully : the secrets of his intrigue with that woman who was now his wife, and was then another man's wife ; shameful secrets which he would never dare reveal to the world, and the secrets of his treachery to Overbury, whom he had juggled into prison and kept in prison till his death.

Those secrets must still be hidden. He would never dare to tell them in a Court of Justice, because he would be disgraced in the eyes of all men as an adulterer and as a traitor to his friend. But if he did not tell them, then these accusations of murder would be doubly suspicious. How could he explain his innocence, while hiding his guilt? He had put a cord about his neck when he wrote those fatal letters to Northampton, and received that old man's letters without destroying them.

Then he was the husband of Lady Frances, once

Countess of Essex. He could not deny her guilt. Undoubtedly she was as guilty as hell. For her sake he must try to smother up the evidence which had not yet been discovered.

It is impossible to know whether the Earl of Somerset was even then aware of all his wife's evil practices with Mrs. Turner and the apothecaries. Perhaps it was only when he came back to town at this time that the woman confessed, and on her knees before him, weeping, and imploring his pity, as he faced her, sternly demanding the truth, told all her wretched story. The only thing of which we can be certain is that a few days later he played a bold trick to get into his possession some of the letters and documents which had passed between his wife and her accomplices.

He was still a free man, and held possession of the Privy Seals. With this power he issued a warrant for a search to be made at a certain house for any writings concerning a woman named Mrs. Hind. This warrant was delivered by the Countess to one John Poulter, a messenger, who with Mrs. Hind, the woman named, took it to George Erratt, a constable, ordering him to carry out its instructions. Accordingly the constable went with these people and a smith, broke open the house, and found in the cellar a box and bag full of papers. He read one of these papers, and found it referred to Mrs. Turner, upon which he demurred at giving them up. But he was persuaded to do so, and they were carried to the Earl of Somerset.<sup>1</sup>

When Somerset read those letters which had passed between Mrs. Turner and his wife he must have been filled with shame and horror at the evil thoughts and practices of those two women. It was good for the reputation of his wife that he could thrust them into the kindly flames. But unfortunately for that reputation, many of Mrs. Turner's papers and properties had been

<sup>1</sup> Erratt's and Poulter's Examinations. Domestic State Papers, October 18.

seized when she was arrested, and though perhaps Somerset and his wife were ignorant of this, Sir Edward Coke had in his hands some of the letters that had passed between Lady Essex and her "sweete father," Forman, and the waxen puppets which had been used as love charms, and as spells to wither the body of the Earl of Essex. These had been obtained by Mrs. Turner from the wife of Forman soon after the death of that master of magic.

Somerset believed that all other incriminating letters were safely hidden. Those from the Earl of Northampton which Sir Robert Cotton had cut up and altered were in charge of a trusty friend, who would, no doubt, guard them carefully. So Somerset imagined, little guessing that they were to be delivered straight into the hands of the examining Commissioners. It seems that Cotton, afraid of having his house searched, delivered the papers in a box to a friend of his, named Mrs. Farneforth,<sup>1</sup> living in Holborn, urging her to keep them carefully. That lady, anxious for their safety, sent them to a merchant's house in Cheapside, where she had lodged nine months before, and requested him to keep them for her, pretending that they referred to her "jointure." Later on she went to recover them, saying that "her counsel wanted to peruse them." But the merchant was suspicious. The Overbury case was being discussed in every house in London. Possibly these papers in the box had something to do with that business.

"If you will suffer me to open it before you," he said, "and if there be nothing else you shall have them."

But the woman would not allow the box to be opened. Then the worthy merchant "smelt a rat" still more strongly.

"It is a troublesome time," he said. "I will go to my Lord Chief Justice, and if he finds no other writings than such as concern you, you shall have them again."

Accordingly, in spite of the woman's frantic protests, he went to Sir Edward Coke's house, but not finding him

<sup>1</sup> This woman is called Mrs. Harnford in another report, printed by Amos.



there (he had gone to hear a sermon at St. Paul's) went to Lord Zouch, one of the other Commissioners, and told his story. This lord was very cautious, and would not break open the box alone, but carried it to St. Paul's, where in "a by-room" he and the Lord Chief opened it, and discovered the letters that had passed between Lord Northampton and Lord Somerset, "besides many other papers."<sup>1</sup>

Truly, fortune was against the man who had been King's Favourite. But for the extraordinary suspiciousness of the worthy merchant in Cheapside, some of the most dangerous evidence against the Earl would never have been brought into court.

On October 17 the Commissioners wrote to the King that there is "vehement suspicion" against the Earl of Somerset as "accessory to the poisoning of Sir Thomas Overbury before the fact done"; and, on the same day, they placed the Earl in restraint by the following order:

"After our very hearty commendations to your Lo: these are by force of His Maj<sup>ty's</sup> letters under his gracious signature to us directed (we having had due consultation of certain examinations and testimonies concerning your Lo: and thereupon having occasion to examine you) in his Maj<sup>ty's</sup> name, to will and require you to keep your Chamber near the Cock-pit at Whitehall without suffering of the access of any to you other than your own necessary servants until His Maj<sup>ty's</sup> pleasure be further known. And thereof requiring you not to fail, we bid your Lordship farewell, from Yorkhouse, this 17 of October, 1615.

"Your very loving friends,

"T. ELLESMERE, *Canc.*,

"LENOX,

"ZOUCHÉ,

"E. COKE."

The Countess of Somerset received a similar letter from these "very loving friends," except that she was required

<sup>1</sup> Sir Edward Coke's statement at the trial. Amos.

to stay "either at your house in the Black Friars, if it be provided for you, or at the house of the Lord Knollis, near the Tilt Yard, at your own election and choice."

Before they obeyed this order the Earl and Countess established communication with Mrs. Turner. Already, on October 6, Alderman Jones, who had the custody of that lady, declared to the Commissioners that a Mr. Whittaker had brought friendly messages and presents to her from the Countess of Somerset, who sent him a piece of plate for his kindness to her, which he refused to accept.<sup>1</sup> Mrs. Turner and Weston were then taken from the charge of the Alderman, and put into "the safe custody of the sheriffs. But on the 18th of Oct. the same Mr. Whittaker called at 7 o'clock in the morning at one of the Sheriff's houses, and attempted to give a message from the Earl of Somerset to Mrs. Turner. This was prevented, and the gentleman was summoned before the Commissioners, when he asserted that he had been sent to tell Mrs. Turner 'to be of good comfort, and that she, having a weak and sickly body, should not be dejected.'"<sup>2</sup>

On the day this fact was reported to them the Commissioners wrote to the King, telling him that on account of "the very great contempt of your Majesty" committed by the Earl of Somerset in using the Privy Seal to suppress truth by obtaining and concealing papers, they had committed the Earl to the house of the Dean of Westminster, under the closer custody of Sir Oliver St. John.<sup>3</sup>

It may easily be imagined that the news of these facts caused the wildest excitement in the Court and country. The letters of the time are full of the affair, and the downfall of the great Earl was hailed with joy by all who had envied his greatness or despised his character. But it had a deeper moral for Catholics as well as Puritans, who detested the immorality of the time and the luxury of the King's Favourite and the hangers-on at Court. The

<sup>1</sup> Domestic State Papers, October 6, 1615.

<sup>2</sup> Amos.

Catholics saw in the affair a sign of the decadence and depravity of society resulting from a loss of faith. They, who did not recognise divorce as divinely sanctioned, had been particularly scandalised by the nullity of the marriage between the Earl and Countess of Essex, believing that all the evidence had been procured by the King's influence, and manufactured by worldly bishops. The Puritans were not less scandalised by a revelation of the ways at Court, and it seemed to them that such things were only possible because the nation was given over to the devil. Long before the Earl and Countess stood on their trial they had already been tried a thousand times at the bar of public opinion, and there were few, if any, who gave them the benefit of the doubt, or believed for a moment that either of them was not guilty of foul murder.

The Earl himself was behaving with folly and passion. Instead of endeavouring to establish his innocence by quietly collecting every scrap of evidence in his favour, by gaining the confidence of the Commissioners, by frank admissions of his relations with the Earl of Northampton in the plot to keep Overbury in prison, and by disentangling himself from the chain of circumstances which Lady Somerset had coiled round her own neck and his, he wrote letter after letter to the King, full of passionate protests against the manner in which he was to be tried. The whole accusation, he vowed, was a mere conspiracy to ruin him.

The King had yielded to Coke's wilfulness and prejudice. Lord Chancellor Ellesmere, he alleged, was not a fit man to investigate the charge, and he had always been his enemy. He reminded James that as Solicitor-General Ellesmere had shared in the "murder" of his Majesty's mother, the Queen of Scots. He protested against being tried by men notoriously his enemies, and begged that twelve judges should conduct the examinations, and that no Privy Councillor should be allowed to take part in the proceedings. There was some strength in the argument that it was unfair for a man to be judged by

men previously hostile to his fortune and influence; but it was unwarrantable audacity when Somerset went on to threaten the King that if he persisted in countenancing his accusers he would lose the support of the whole house of Howard.

We have seen that James knew how to support his dignity when he was roused; and he could not allow one of his subjects, and one accused of the greatest crime, to address such words to him. A day or two before Somerset's close restraint by Sir Oliver St. John, James sent him a reply to his protests.

"I need not to answer your letter," he wrote, "since Lennox hath long before this time told you my resolution on that point; whereupon you have bestowed so much scribbling and railing, covertly against me and avowedly against the Chancellor. Yet can I not abstain, partly for satisfaction of mine own heart, and partly for satisfying you and your ally without reason, if reason can satisfy you, to send you these few observations for your letter in a business of this nature.

"I have nothing to look unto but, first, my conscience before God, and next my reputation in the eyes of the whole world. If I can find one man stricter than another in point of examination, I am bound to employ him in it; and when in my conscience I have set down a course, to change it at the influence of the party, without any other reason but because they will have it, is very little for my honour. That I was too faint in not resisting the supreme judge's wilfulness; I confess I ever was and will be faint in resisting to the trial of murder, and as bold and earnest in prosecuting in trial thereof. And as my proceedings from the beginning of this business have been only governed by the rule of my conscience, as the Searcher of all hearts knows; so must I, to my great regret, confess and vow, that *from the beginning of this business, both your father-in-law and you have ever and at all times behaved yourselves quite contrary to the form that men that wish the trial of verity ever did in such a case.*



"But how far it is now out of time, after that the Chancellor hath serviced me more than thirteen years with all honour and faithfulness, having ever been a regalist, to rake up from the bottomless pit the tragedy of my poor mother, I appeal to your own judgment. Then why should I be thus needlessly vexed? . . . first, I am sore the world should see exception taken against so grave a man, and next, the more severe choice I make of persons for examination, the more it is in your favour, if honour and trial of innocence be your end.

"Now, as to your motion in putting all the judges in this warrant (if you mean for trial in law) I never meant it otherwise; but if you mean for examination, it is more than absurd. And, whereas you allege that great Councillors were never employed in the examination of a thing of this nature, I say the quite contrary is true, when as the circumstances or articles of the trial may reflect upon great personages; in which case the judges dare never presume to meddle without better assistance. To conclude, then, I never had the occasion to show the uprightness and sincerity that is required in a supreme judge, as I have in this. If the delation<sup>1</sup> prove false, God so deal with my soul as no man among you shall so much rejoice at it as I; nor never shall spare, I vow to God! one grain of vigour that can be stretched against the conspirators. If otherwise, as God forbid! none of you shall more heartily sorrow for it; and never King used that clemency that I shall do in such a case. But that I should suffer a murder (if it be so) to be suppressed and plastered over, to the destruction both of my soul and reputation, I am no Christian. I never mean wittingly and willingly to bear any man's sins but my own, and if for serving my conscience in setting down a fair course of trial I shall lose the hands of that family, I will never care to lose the hearts of any for justice' sake.

"Fail not to show this letter to your father-in-law, and that both you read it twice over at least; and God so favour

<sup>1</sup> Accusation.

me, as I have no respect in this turn but to please Him, on whose throne I sit. And so farewell ; praying the author of all verity to make the clean verity to be plainly manifested in this case.

“ JAMES R.”<sup>1</sup>

It is clear from this letter, and from the conduct of the King during the proceedings that followed, that James was resolved to do his duty honestly, and not to tamper with justice. But all those stories of his being rejoiced to get rid of his old Favourite are disproved. This letter is written by one who desired very earnestly that his friend might prove himself innocent of the terrible charges against him. In the hour of his downfall Somerset could not number the King among his enemies. If there had been any clear and unmistakable facts disproving these accusations James would have welcomed them with joy. But alas, for Robert Carr there were no such facts, and to establish his innocence he would have to depend on the lack of direct evidence of guilt.

<sup>1</sup> “ Letters of the English Kings,” Halliwell.

## CHAPTER XIV

### THE FRUIT ON TYBURN TREE

AT the date of Somerset's arrest Sir Edward Coke, Lord Chief Justice, was satisfied that he had in his hands sufficient evidence to bring Richard Weston to trial as the principal agent of the murder.

According, however, to modern procedure in criminal law, Weston was not the principal but an accessory before the act. For, on the evidence of Sir Gervais Elways, as well as upon Weston's own confession, Paul de Lobell, the French physician, was clearly indicated as the man who had actually administered, or caused to be administered, the poisoned "clyster" or injection. Sir Ralph Winwood, on the other hand, had in his possession a report of the confession of the apothecary's boy at Flushing, who had been bribed for twenty pounds to convey the poison to the prisoner. As the apothecary's boy had died it was, naturally, impossible to prosecute him as the principal, and therefore very little was said by Sir Edward Coke about that part of the story. But in any case the French physician himself should have been put on his trial. For some unexplained reason, however, this man was not even charged as an accessory.

Examined on October 3, he asserted that the only medicine he had given to Overbury was on the advice of M. Mayerne, the King's physician, whose instructions he could produce in writing. But he had seen, he said, that Sir Thomas Overbury had waters, plasters, and

other medicines given to him which did not come from himself.<sup>1</sup>

A little while later some evidence came into Sir Edward Coke's hands which certainly cast the deepest suspicion upon this physician. A man named Edward Rider came forward to report some conversation he had had with the Frenchman. Dr. Lobell, he said, had used some violent expressions about the Overbury case, saying that the Knight had not been poisoned at all, but died of consumption. About a week afterwards Rider went out with his wife, and by accident met Dr. Lobell and his wife near Merchant Taylors' Hall. The conversation again touched upon the Overbury case, which was the one topic of the day, and Rider said there was no doubt now that the Knight had been poisoned.

"I told him," said Rider, "that I heard it was done by an apothecary's boy in Lime Street, near to Mr. Garret's, speaking as if I knew not that it was his son's boy, although I knew that it was his son's boy that did the deed; and Mrs. Lobell, standing by, hearing me say that he dwelt by Mr. Garret's and that he was run away, she, looking upon her husband, said in French, '*O, mon mari*,' etc., that is, '*Oh, husband, that was William you sent into France*' (or to that effect), whom, she said, was his son's man. Whereupon the old man, as it seemed to me, looking upon his wife, his teeth did chatter as if he trembled, which struck me also into a quandary to hear her say so; whereupon I asked him if he did send him away, and he answered me that he sent him by a letter unto a friend of his in Paris, saying that he knew not the cause of his departing from his master, except it were for that his master used him hardly; which was strange to me, that he should give him a letter of commendations unto a friend of his in Paris, *and not to know of his son the cause of his parting*, and it made me conjecture that he indeed *did* know the cause of his departure."<sup>2</sup>

<sup>1</sup> Domestic State Papers, October 3, 1615.

<sup>2</sup> *Ibid.*, October 5, 1615.



It is an amazing thing that this evidence was not followed up by the arrest of the physician. He had been in close attendance upon Overbury. Weston had confessed that the fatal poison had been administered by an apothecary's boy, that boy had made a dying confession which first put Sir Ralph Winwood upon the track of the crime. Now the boy was discovered to be in the employment of Paul de Lobell's son, and the physician himself admitted (according to Rider) having sent him away to France with a letter of introduction. Yet Paul de Lobell went scot-free! What was the reason for that? One can hardly hazard a guess. Perhaps Lobell was spared because he had been recommended by the King's physician. In view of the deep suspicion of the public that Overbury's murder had been for reasons of State it might have been dangerous to produce a man who was at least indirectly connected with the King. But more probably, Sir Edward Coke was willing to overlook this man because it was more convenient to put up Weston as the principal, he being in direct touch with the other agents of the murder, and caught, beyond escape, in a network of circumstantial evidence and admissions.

Richard Weston, therefore, was arraigned on October 19, at the Guildhall. The judges were the Lord Mayor Hayes, the Lord Chief Justice, Justice Crook, Justice Doderidge, Justice Haughton, Serjeant Crew, and Sir Henry Montague, Recorder.

Before the prisoner was brought into court, Sir Edward Coke addressed the Grand Jury of fourteen persons. First he expressed the King's pious inclinations and command unto just proceedings against all such as should be any way proved to be guilty of the murdering and poisoning of Sir Thomas Overbury, His Majesty's prisoner in the Tower. Then he declared: That of all felonies murder is the most horrible, of all murders poisoning the most detestable, and of all poisoning the lingering poison. The devil, he said, waxing eloquent, had taught divers to be cunning in that art, so that they can poison in what

distance of space they please, and in one month, two or three or more, as they list.

Sir Edward Coke finished his charge with serious exhortations to the jury to do justice in presenting the truth notwithstanding the greatness of any that upon their evidence should appear to be guilty of the same offence, comforting both judges and jury with the text: "For Thou, Lord, wilt bless the righteous; with favour wilt Thou compass them as with a shield."

The jury now retired for an hour into a private room, where Mr. Fenshaw, the King's Coroner, and one of the counsel, laid before them the confessions and examinations obtained by the Lord Chief Justice and the Commissioners. In the meantime Mr. William Goare, Sheriff of London, was commanded to fetch the prisoner, in custody at his house, to be ready in court for his arraignment. The Grand Jury now returned to the bar, and delivered their bill of indictment, signed *Billa vera*; whereupon the prisoner was brought up, and the indictment was read by Mr. Fenshaw, as follows:

That Richard Weston, being about the age of sixty years, not having the fear of God before his eyes, but instigated and seduced by the Devil, devised and contrived not only to bring upon the body of Sir Thomas Overbury, knight, great sickness and diseases, but also to deprive him of his life: and to bring the same to pass, on the 9th of May, 1613, at the Tower of London, did obtain and get into his hand certain poison of green and yellow colour, called Rosalgar (knowing the same to be deadly poison), and the same did maliciously and feloniously mingle and compound in a kind of broth poured out into a certain dish, and the same broth so infected and poisoned, did give and deliver to the said Sir Thomas Overbury, as wholesome and good broth, to the intent therewith to kill and poison the said Sir Thomas, which broth he took and did eat.

Also the said Weston, upon the first of July, did in like manner get another poison or poisons compounded, called



From a photo by Emery Walker, after a painting in the National Portrait Gallery by Cornelius Jansen.

SIR EDWARD COKE, LORD CHIEF JUSTICE OF ENGLAND.





White Arsenick, and (knowing the same to be deadly poison) did give unto the said Sir Thomas Overbury as good and wholesome to eat, who took and did eat.

Also that Weston, upon the said 19th of July following, did get another poison called Mercury Sublimate (knowing the same to be mortal poison) and put and mingled the same in tarts and jellies, and gave unto Sir Thomas Overbury as good and wholesome to eat, which he in like manner took and did eat.

Also the said Weston, *and another man being an apothecary*, afterwards upon the 14th of September, feloniously did get a poison, called Mercury Sublimate (knowing the same to be deadly poison) and put the same into a clyster mingled with the said poison: and the said clyster, the said apothecary for the reward of £20 promised unto him, did put and minister (as good and wholesome) into the guts of the said Sir Thomas; and that Weston was present and aiding to the said apothecary in ministering and infusing the said clyster; and that immediately after, as well the taking of the said poisoned meats, and ministering the said clyster, the said Sir Thomas did languish, and fell into diseases, and distempers; and from the aforesaid times of taking and eating the said poisoned meats and ministering the said clyster, he died: and so the jury gave their verdict, That Weston in this manner had killed, poisoned, and murdered the said Sir Thomas against the King's peace and dignity.<sup>1</sup>

So ended the indictment, and Richard Weston was asked whether he pleaded guilty or not guilty. The man had listened to the charge in a dazed manner. Perhaps he heard very little of it, being overwhelmed by the terrors of his position, and by the great crowd of people in court, whose eyes stared upon him. He answered the question by crying out in a hopeless way, "Lord, have mercy upon me!" and again, "Lord, have mercy upon me!" When asked again he answered, "Not guilty." Then, according to the law, he was asked how he would be tried. The

<sup>1</sup> State Trials.

wretched man, ignorant perhaps of the real meaning of the question, said, "I refer myself to God. I will be tried by God."

That was impossible in an English court of justice, and it was explained to the prisoner that he "must put himself upon the jury or country, according to law or custom."

Whether Weston had been prompted in the refusal he now gave to "put himself upon the country," we do not know. Perhaps the Earl or Countess of Somerest had succeeded in sending a secret message to him, with the promise of liberty and rich rewards if he would adopt this course. It is suggested also that Sir Henry Yelverton, the Solicitor-General, who was a servant of the Howards, had secretly counselled Weston. There is no real evidence for either theory, but, whatever may have been his object, the man's refusal to stand his trial caused the deepest embarrassment to the judges. For, according to English law at that time, it was impossible to proceed with the cases against accessories to murder, except by special Act of Parliament, until the principal had been tried and condemned; and no man could be tried until he had agreed to place himself on his country.

An extraordinary scene took place in court. The Lord Chief Justice, and the other judges in order, spent the space of an hour in persuading the prisoner to stand his trial, and explained to him the dangers and mischief he ran into by resisting the ordinary course of the law, being the means ordained by God for his deliverance; and how, by this means, he would make himself the author of his own death, "even as if he should, with a knife or dagger, kill or stab himself."

To these exhortations Weston answered, "Welcome, by the grace of God," and refused to appeal to his country.

This obstinacy on the part of the accused man was very annoying to Sir Edward Coke. He had worked very hard for several weeks, and he had looked forward to a great personal triumph for having unravelled all these naughty

deeds. It was also very disappointing to a great number of distinguished people who had crowded to the court to hear all the revelations which the Lord Chief Justice had gathered from the guilty parties. They were deeply excited to know how far the Earl and Countess of Somerset were really involved, as, until now, they had fed their curiosity on nothing but rumours. Sir Edward Coke felt for this great audience, which numbered "some of the nobility and many gentlemen of great quality." He had some feeling for himself also. He therefore thought meet, he said, "to have openly and at large read the confessions of the said Richard Weston, and the testimonies of others as well concerning the fact of the said Richard Weston and the Earl and Countess of Somerset, and Mrs. Turner, without sparing any of them, or omitting anything material against them."

This was a wrong and most unfortunate decision of a judge, whose eagerness and vanity ran away with his discretion. In the first place, it was without any practical use in law to read out the examination of witnesses while Weston still declined to plead; and, in the second place, it was utterly foolish and unjust to publish those accusations against people who were unable at that time to defend themselves, not being present or represented in court. This premature disclosure of evidence was naturally taken as a conviction of the guilt of those persons in the mind of the judge who had ordered the examinations to be read, and it was a serious cause of embarrassment in the progress of the case when fresh contradictory evidence was produced.

Nevertheless, Sir Lawrence Hyde, the prosecuting attorney, solemnly read out the depositions, and the "nobility and gentry" were not turned away empty. They went away indeed with their imagination excited by the strange and dreadful stories they had heard, and the names of the Earl and Countess of Somerset were execrated by those who two years before had been all agape with enthusiasm at the brilliant wedding of that great couple.

In the meanwhile preachers were sent to Weston to

persuade him to stand his trial, and it had already been explained to him in court, with many plain and particular details, what was the only remedy the law could take in such a case of "standing mute." That remedy was the *peine forte et dure*, the rigour whereof was expressed by Sir Edward Coke to the prisoner in the words, *onere, frigore, et fame*.

"In the first place, he was to be extended on the rack and then to have weights laid upon him, no more than he was able to bear, which were by little and little to be increased.

"For the second he was to be exposed in an open place near to the prison, in the open air, being naked.

"And lastly, he was to be preserved with the coarsest bread that could be got, and water out of the next sink or puddle to the place of execution, and that day he had water he should have no bread, and that day he had bread he should have no water; and in this torment he was to linger out, so that oftentimes men lived in that extremity eight or nine days; adding further, that as life left him, so judgment should find him."

To all these terrors Richard Weston remained mute.

On October 25 the King wrote to the Commissioners approving of these proceedings against Weston. Should he continue obstinate in his refusal to stand on trial, judgment is to be pronounced against him and to be executed. But he is to be examined, said James, as to who persuaded him to such a course, and also the Earl and Countess of Somerset as to whether it is their doing, and "the evil is to be pointed out to them of ruining the man's soul, as he will be his own murderer if he persist."<sup>1</sup>

On the following day the King wrote again to the Commissioners. He ordered them to examine the Countess of Somerset, and to confront her with Weston and Mrs. Turner and with the Earl himself if needful, before Weston's second arraignment. He also asked the Commissioners' opinion of a paper sent him by a person named Thomas Lumsden,

<sup>1</sup> Domestic State Papers.



intimating that Weston, since his arraignment, had recanted his examinations.<sup>1</sup>

Sir Edward Coke having broken all legal etiquette, was now a great stickler on the subject, and he informed His Majesty that any further confronting or examining of a delinquent after his conviction [Weston was not yet convicted!] is not according to law. As for the statements in Lumsden's paper, they were false and malicious.

For three days Weston resisted the blandishments of the Bishop of London and others, and the terrors held out to him regarding the rack, and the agony of cold and hunger, and still refused to stand his trial. It was really getting very awkward, and the Commissioners were becoming furious. There is something grimly comic in this passive resistance, which upset the whole machinery of English law. On October 22 the Lord Chief Justice wrote to Secretary Winwood from York House, that he would proceed against Weston on the morrow "as his standing mute was equal to a confession; *and to go to court and do nothing would be so ridiculous that he cannot do it without express commands from His Majesty.*"<sup>2</sup>

On the following day Winwood answered this by a letter to the Commissioners. They are to proceed, he says, according to their best judgment with Weston, who deserves no pity. To stop scandal, he should again be made to acknowledge his examinations. *The King would think it Coke's masterpiece if he could discover who persuaded him to stand mute.*<sup>3</sup>

Fortunately for the Commissioners, the strain of the situation was relieved by Weston submitting to stand his trial. "But he hoped," he said, "they would not make a net to catch the little fishes and let the great go."<sup>4</sup> He

<sup>1</sup> Lumsden was in the service of the Earl of Somerset, and sent his paper to the King, through Henry Gibbs, Gentleman of the Bedchamber, who was also one of Somerset's followers.

<sup>2</sup> Domestic State Papers, October 22.

<sup>3</sup> Domestic State Papers.

<sup>4</sup> Lord Chief Justice and Judges of the King's Bench to the King. Domestic State Papers.

also told Mr. Goare, the Sheriff, who had him in custody, that his previous confessions were true.

On Monday, October 23, therefore, Weston again took his place at the bar, the indictment was again read, and was followed by the examinations of the various witnesses which had already been rehearsed. Regarding the evidence the Lord Chief Justice exhorted the jury "to take God before their eyes, and with equal balance to weigh as well the answer of the prisoner as the proofs and examinations against him." He declared that he had examined him from time to time "quietly and freely, without menacing or rough usage," as the prisoner confessed. Then Sir Edward Coke made a statement which seems an admission of his own doubt as to the proofs of poisoning.

"That albeit the poisoning in the Indictment be said to be with Rosalgar, white arsenick, and mercury sublimate, yet *the jury were not to expect precise proof on that point*, shewing how impossible it were to convict a prisoner who useth not to take any witnesses to the composing of his sibber sauces; wherefore he declared the law in the like case; as if a man be indicted for murdering a man with a dagger, and it fall out upon evidence to have been done with a sword or rapier, or with neither, but with a staff; in this case the instrument skilleth not, so that the jury find the murder. And so in this prisoner's case, if they would be satisfied of the poisoning it skilleth not with what."<sup>1</sup>

The evidence satisfied the jury, already convinced of the prisoner's guilt, and then Weston was asked what he could say for himself. The prisoner, unaided by counsel, and bewildered by the number of so-called proofs accumulated against him, was utterly unable to make any defence. He made one or two incoherent statements about the glass of water which he had first received from the Countess, and protested that his reason for saying it had been brought by Franklin was to save his son. This, of course, did not touch the chief charges against him, and the jury, having retired, brought in a verdict of guilty.

<sup>1</sup> State Trials.

Looking back upon the trial, one marvels at the inconsistency of the case for the Crown, and at the deliberate omissions of any evidence which told in favour of the prisoner. In a modern trial the counsel for the defence would safeguard the prisoner in this respect ; but in those days, when the accused man had no assistance, it depended entirely upon the judges to put before the jury any points that might be urged in his favour. This was not done in the present case, in which the judges were actually, though not nominally, prosecuting counsel.

Several points may be briefly mentioned.

In the first place, it was necessary to prove that Sir Thomas Overbury had really been poisoned. The evidence of the coroner who held the inquest in the Tower was not given. Second : it should have been evident to all unprejudiced minds that the preliminary attempts to poison Sir Thomas had failed. It should at least have been mentioned that both Weston and Sir Gervase Elways agreed in their statements that the poison brought by Weston's son had been thrown away. Yet it was taken for granted that it had been administered to the prisoner in the Tower. Sir Gervase Elways, again, had asserted that he intercepted the poisoned tarts ; but his statement was not admitted, and it was held that Sir Thomas had actually eaten the tarts, though no witnesses were called to give proof of that. Third : with reference to the poisoned "clyster," which was presumed to have been the immediate cause of Overbury's death, it was stated by the Crown that it was administered by an apothecary, bribed for £20. Who was that apothecary, and where was he ? These questions were not asked, and the mysterious apothecary was ignored. So also was the Lieutenant's statement to the King that he had forbidden any physician to attend the prisoner except the man who had been in constant attendance on him—namely, Paul de Lobell.

In a modern trial for murder a counsel for the defence would not have passed these things, nor would he have admitted many of those examinations of witnesses as rele-

vant to the case of Richard Weston himself. Reported conversations in the gallery at Whitehall between the Earl of Somerset and Sir Thomas Overbury were not admissible as evidence against this man Weston. Above all, a counsel of defence would have cross-examined these witnesses, whereas in the trial the depositions were read, and the witnesses themselves were not questioned.

In spite of these weak points in the case, the circumstantial evidence against Weston, apart from his confessions, was very strong, as far as the fact that he had accepted payment to poison Sir Thomas Overbury, and had introduced poison into the Tower. That was more than sufficient for a jury in the reign of King James, and it is probable that a jury of to-day would not give Weston the benefit of the doubt. It is at least morally certain that he was guilty of Overbury's death, though undoubtedly there were technical flaws in the evidence as to the final act of this poison drama.

Sir Edward Coke did not spare the man a long oration, interlarded with Latin, "to the glory of God and honour of the King." He declared how "for prevention of this damned crime of poisoning, justice was the golden mean," and praised the King's resolution "straightly to execute justice for that treason." He desired that this precedent of Overbury "might be an example and terror against this horrible crime, and therefore it might be called '*The Great Oyer of Poisoning*.'"

He then gave judgment that the prisoner should be carried from thence to the place from whence he came, and from thence to Tyburn, and there to be hanged by the neck till he was dead. The prisoner, however, might have "convenient respite and the company of some godly and learned men to instruct him for his soul's health."<sup>1</sup>

Richard Weston, who for £180 had purchased his own death, was taken to Tyburn on October 25. The bells were ringing from the church towers, not in solemn tolling for a man's soul that was to pass into eternity before a

<sup>1</sup> State Trials.



greater Judge than Sir Edward Coke, but in jubilation at the sentence upon a poisoner.<sup>1</sup> A great crowd surged round the scaffold waiting to see a man dangling from the rope on Tyburn tree and to catch a few words from his mouth before the noose was tightened. Suddenly, as the wretched man stood there in the gaze of the multitude, while the chaplain prayed for him, and the hangman stood ready for his task, an exciting incident took place. A number of gentlemen pressed their horses through the throng and rode close under the scaffold. They were recognised as Sir John Lidcott (Overbury's brother-in-law), Sir John Hollis (afterwards Earl of Clare), Sir John Wentworth, Sir Henry Vane, Sir Thomas Vavasour, and other gentlemen of the Court. It appeared that they were not satisfied with the course of Weston's trial, believing that he was being made a victim to shelter other and greater people.

Sir John Wentworth shouted up at the man with the rope round his neck.

"Did you poison Overbury or no?" he said.

"You do me wrong," said Weston; and then he turned to the sheriff and said, "You promised me I should not be troubled at this time."

But Wentworth, Hollis, and the other gentlemen pressed him to say whether he were guilty, or whether others were more guilty.

Weston, plagued with these questions at the very moment of his death, was understood to say, "I die worthily," and that he had "left his mind with the Lord Chief Justice." Then his body swung into the air, and there were no other questions to be asked of him.<sup>2</sup>

The next person to be brought to trial was Mrs. Turner. She had been removed from the custody of Alderman

<sup>1</sup> Sir Francis Bacon, in the State Trials.

<sup>2</sup> Sir John Wentworth and Sir John Hollis were afterwards tried in the Star Chamber for "traducing public justice," and heavily fined. The Attorney-General, Sir Francis Bacon, charged them, and that was his first connection with the Overbury murder.

Jones to the care of one of the sheriffs, and, as we have seen, Mr. Whittaker, who had taken messages to her from the Countess of Somerset, had been arrested by order of the Commissioners. But the Countess was desperately anxious to warn her friend and accomplice not to confess any of those dark secrets they had shared. She knew that upon this woman depended her own fate. If, under the persistent examination of the Lord Chief Justice or facing the terrors of death, Mrs. Turner revealed all the truth of her connection with her paymistress, the Countess would be doomed. In spite of all the vigilance of her warders, Lady Somerset was still able to command their service. Like that woman "Miladi" in the famous novel by Dumas, she could still bewitch men by her beauty, and persuade them to risk their liberty in her service.

The Countess had been allowed at first to lodge in the Cockpit at Whitehall, in the custody of Sir William Smythe. But this gentleman, scared by the responsibility of his charge, reported that the place was unfit for her, and very insecure, "there being many doors and few keys." It was also so solitary that watch had to be kept all night. He was relieved, therefore, when the lady expressed her intention of removing to Lord Aubigny's house in the Blackfriars. He desired, however, to first inspect the place and appoint her apartments. At present it was quite unprepared for her reception, and one of her servants, Walter James, had gone to borrow £10 from her father, the Lord Treasurer, or Lady Knollys, to buy wood and provisions for that place; but as he had already borrowed large sums of money on the Earl's account he was liable to be arrested for debt.

It is evident that the Countess was trying to work her blandishments upon her custodian, for she desired to provide for his family while she stayed in his charge. Sir William, however, would not accept this offer, on account of her poverty. He was of opinion, indeed, that her ladyship's list of attendants was too large. She had six women servants and several men, and had no means to main-

tain them. Knowing that any leniency to his prisoner might involve him in serious trouble with the Commissioners, he was careful to let them know how strict he was in obeying their commands. Thus he had turned away Sir Henry Howard, who came to see his sister. Nevertheless, he desired to know whether he might grant her request to send some one to inquire "how her lord does."<sup>1</sup>

In a letter from Sir William Smythe to the Commissioners, giving these particulars, one may clearly see how he is drawn two ways in his desire to do his duty faithfully, and in his tenderness towards the lady who had such a bewitching beauty and such very seductive manners. In spite of his vigilance, a man named William Burke was bribed to convey a message and money from Lady Somerset to Mrs. Turner, and to get to know whether Mrs. Turner had been examined, and what confession she had made. Evidently the Sheriff, who had the custody of that lady, was on the watch for unauthorised visitors, not wishing to fall into the same traps as Alderman Jones; for Thomas Burke was promptly arrested and summoned before the Commissioners.

It was, of course, a dreadful situation for the prisoners to be cut off from each other, utterly ignorant of what their accomplices were revealing under examination. Both the Earl and Countess were desperately anxious to communicate with each other, and with their accused friends and servants. It is probable that they were not unsuccessful. One suspects that Walter James, who was still in their service, succeeded in conveying at least one message. He was one of the attendants of the Countess at the Blackfriars, and petitioned the King and the Chief Justice to allow him to speak with the Earl of Somerset on his domestic affairs in the presence of the new, and provisional, Lieutenant of the Tower—who had the appropriate name of Sir John Keys. James forwarded the petition to the Commissioners, asking them to consider it. It would not have been extra-

<sup>1</sup> Smythe to the Commissioners. Domestic State Papers, October 27, 1615.

ordinarily difficult, we may imagine, for him to have slipped a message from the Countess into the hand of her husband.

There were other servants and friends who were willing to risk something for the sake of a lady who was the daughter of the greatest family in England. Her own bright eyes had many worshippers, and her parents could pay handsomely to any one who wanted money for secret service. Thus, a waterman named Jeffrey Platt said that a gentleman came to him one night as he was resting on his oars at Blackfriars Ferry, and bade him tap at a certain window of the Countess of Somerset's house and deliver letters to her man, saying they were from the King and Council. The waterman did as he was told; and if we are to believe his own oath he was a very obliging fellow, and extraordinarily different from others of his calling, for he swore that "no money was given for his pains."<sup>1</sup>

But whatever messages may have been smuggled into Mrs. Turner they were of no avail. It is true that the woman protested her innocence until after her trial, but the Lord Chief Justice had in his hands sufficient proofs to satisfy himself and any jury that she was one of the chief agents in the attempts to poison Sir Thomas Overbury. That Overbury had been murdered was conveniently taken for granted now that Weston had swung for the deed.

Mrs. Turner was brought up for trial at the King's Bench on November 7. The indictment upon which Richard Weston took his trial was repeated *verbatim*, and then Mrs. Turner was charged with "comforting, aiding, and assisting the said Weston." To this the accused woman pleaded Not Guilty.

The Lord Chief Justice, addressing the prisoner sternly, told her that women must be covered in church, but not when they were arraigned. He therefore bade her put

<sup>1</sup> Examinations of Edward Norman and Jeffrey Platt. Domestic State Papers, November 2, 1610.





From a contemporary print.

LONDON IN THE REIGN OF JAMES I., SHOWING THE TOWER OF LONDON AND OLD LONDON BRIDGE.

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off her hat, and this she did, covering her hair with her handkerchief. Perhaps there were some men in the crowded court who were then softened into a sentimental pity for the woman, as afterwards they made her the heroine of many a maudlin expression of pity. In spite of her evil life her beauty stirred some men's hearts in her favour, though not the heart of the old Lord Chief Justice.

There were now produced in court some of those strange and abominable letters which Frances, Lady Essex, had written to Mrs. Turner and to her "sweete father," Dr. Forman, at the time when sorceries had been practised against her husband. Sir Laurence Hyde, the attorney, also exhibited the puppets and images which had been used for these spells of witchcraft. When Dr. Forman died Mrs. Turner went to his wife's house and demanded those evil toys, which were delivered to her, and afterwards, when Weston was arrested, she sent her maid, Margaret, to Mrs. Forman's house, saying that all letters and papers concerning the Earl of Somerset or the Countess of Essex must be burnt. The Council's warrant, she said, would come to search the astrologer's study, and, therefore, with Mrs. Forman's consent, she and "trusty Margaret" burnt some of the documents; but she was rash enough to keep some of the most incriminating letters, which were afterwards seized by the officers of the Crown.

The Lord Chief Justice traced the puppets to a man named Edmund Aspenall, and from him to his landlord, Simcock, from whom he had bought them. These men were now produced as witnesses against Mrs. Turner.

While these pictures and puppets were being shown in court there was suddenly heard a great crack of the scaffold, which filled a superstitious crowd with horrid fright. There was, we are told, "great fear, tumult, and confusion among the spectators, and throughout the hall, every one fearing hurt, as if the devil had been present, and grown angry to have his workmanship showed by such

as were not his own scholars. And this terror continuing about a quarter of an hour after silence proclaimed, the rest of the cunning tricks were likewise showed." <sup>1</sup>

All the "exhibitions," as they were called in law, were utterly irrelevant to the poisoning of Sir Thomas Overbury, except that they proved the intimate friendship between Mrs. Turner and the Countess and the vile lives of both these women. But the truth is that practically the whole of Mrs. Turner's trial was irrelevant to the actual murder, and was taken up with the evidence establishing a motive for the poisoning of Thomas Overbury by the Earl and Countess of Somerset. The Lord Chief Justice enlarged upon the strained relations between the Earl and his secretary, expressed his horror at the deception practised upon Overbury when he was induced to refuse the foreign embassy, and at the "barbarous curse" of depriving a prisoner for contempt of those privileges and comforts which such persons usually enjoyed. He rehearsed many of the examinations dealing with the powder sent by the Earl to Overbury three months before his death, and with the tarts sent by the Countess to the Tower, all of which did not connect Mrs. Turner directly with the crime. He also admitted much hearsay evidence which would not be allowed in a modern court of law, and which had but little bearing on the case now being tried. Thus, a man named Mercer was allowed to repeat a conversation with Franklin in which that poison-merchant boasted of his friendship with Lady Essex, saying that "my lord of Somerset and the Countess will bear me out in everything I do"; and a man named Frances deposed that Franklin married his sister, and "he *thinketh* in his conscience" she was poisoned!

For the proofs against Mrs. Turner the Lord Chief Justice relied chiefly upon the examinations of Weston, "who had confessed that all he had said formerly was true." Mrs. Turner herself, who had been kept close prisoner in the Sheriff's house before she was brought to the bar,

<sup>1</sup> State Trials, 1603, 1604, 1605.



had not heard of Weston's execution ; but when in the course of her own trial she understood that her former servant had already gone to his doom, she was overwhelmed with terror and seemed to give herself up for lost.

The Lord Chief Justice after his direction to the jury then addressed the wretched woman in words which put the fear of death into her heart. He told her that she had the seven deadly sins, "being a whore, a bawd, a sorcerer, a witch, a papist, a felon, and a murderer, the daughter of the devil Forman."

One is amazed at the methods of justice in the reign of James. Here was the Lord Chief Justice presiding over a trial for which he had prepared the evidence for the Crown. He had "got up" the case, in exactly the same way as a prosecuting counsel, and without discrediting his own work he was bound to secure a verdict against the accused woman. That in itself was a scandal which would never be tolerated in modern justice. Then sitting in judgment over a prisoner who had not the help of counsel, he did not make even a pretence of impartiality, or of weighing the evidence on each side, but *before* the jury deliberated told them that she was guilty of the seven deadly sins.

Mrs. Turner cried out, and asked the Lord Chief Justice to be good to her. "I was ever brought up with the Countess of Somerset," she wailed, "and have been for a long time her servant, and knew not that there was any poison in any of those things sent to Sir Thomas Overbury."

Naturally, after the judge's words of condemnation, the jury had no need of deliberation and they returned at once with the required verdict, when the Lord Chief Justice was pleased to tell the wretched, trembling creature that she had had "a very honourable trial, by such men as he had not seen for her rank and quality." Being asked if she had anything to say why judgment should not be pronounced against her, she "could not speak anything for weeping," and sentence of death was passed upon her.<sup>1</sup>

<sup>1</sup> State Trials.

Although in considering this trial we may be astonished at the amazing injustice of its procedure, we need not have any uneasy doubts as to the real guilt of the condemned woman. Her history has been told in the preceding pages, and it is the story of a woman of utterly vicious instincts, and of a consistently evil life. She was undoubtedly the chief agent of Lady Somerset in all the attempts to convey poison to Overbury, and it was she who procured the gang of poisoners to accomplish that purpose. Sir Gervase Elways confirmed Weston's story as to this woman being his paymistress, and Franklin, though he was a very prince of liars, is not to be disbelieved when he swore that he was employed by Mrs. Turner. Mrs. Forman, Dr. Savories, and Sir Thomas Monson, all confirmed this evidence; and the desperate attempts of the Countess herself to get into communication with her friend when they were separately imprisoned, strengthen one's convictions that the woman was the chief accomplice in the crime, although the proofs produced in court were swamped by a mass of irrelevant evidence.

On November 10, three days after her condemnation, James, Lord Hay, wrote to Sir Edward Coke informing him that the King desired Mrs. Turner's execution to be respited to the following Monday or Tuesday, in order that divines might have access to her and try to draw her to confess. As she was a Catholic priests might be secretly admitted if thought fit.<sup>1</sup>

Sir Edward Coke obeyed these instructions eagerly, and in the course of these trials we shall see the curious and unedifying spectacle of a Lord Chief Justice writing down in his own hand reports of the words spoken, or supposed to have been spoken by condemned persons waiting for execution and coerced into confession by clergymen who were less anxious to reconcile them to God than to lay traps for other accused persons not yet brought to trial.

It was Dr. John Whiting, and not a priest of her own faith, who visited her, and, in his own words, written down

<sup>1</sup> Domestic State Papers.

by Coke, exhorted her "to make an humble petition and particular confession of her sins."

"Why should I confess to them that will not give me absolution?" said Mrs. Turner.

"Yes," said the Doctor, "upon your firm repentance and lively faith, I can do it as much as any priest; yea, as much as the Pope himself."

Then, according to Dr. Whiting, "*after many exhortations and pressing of her,*" she confessed that she knew of the poisoning of Sir Thomas Overbury before it was done. She would not hurt that lady *that formed the plot*,<sup>1</sup> who was, she said, "as dear unto me as my own soul. Then she wept and lamented exceedingly, and, *named also the Earl of Northampton; and after that the passion was somewhat over she, with great grief, said:* "I am afflicted, and, *being demanded wherefore, answered,* I am afflicted that I did not say so yesterday *when I was tried,* for now, seeing that I denied it *so openly,* who will now believe me? *but they will say I am a dissembler.*" She also said, "Now *that I have confessed it,* where is the comfort?"

Afterwards she consented to receive the Communion according to the Church of England, though she had never done it before, having heard "that they that should eat and drink the supper of the Lord unworthily should eat and drink their own damnation."

On the following day she was again questioned by Dr. Whiting. "Franklyn is a villain," she said, and desired she might not die the day he died; "he is so foul."

It is now clear that the clergyman, under Coke's instructions, tempted her to accuse other people. He asked her whether Sir Thomas Monson, whom she called "a proud, odious man, not loved in Court," had not a hand in the business. Her answer shows the value of these so-

<sup>1</sup> The words in italics, and others throughout Mrs. Turner's confession, are interlineated in the original draft by Sir Edward Coke, and sometimes written over erasures, showing that the whole document was "touched up." Amos.

called confessions. "*If you will have me say so, I will,*" she said. Then she began to rail against Sir Gervase Elways, crying out, "O that unhappy Lieutenant, that might have saved all this! Would to God he had never come there."

Then the Doctor pressed her to say who else was involved in the crime. "If any were in it that I know," she said, "it was the Lord Privy Seal. . . . All the letters that came from the lord of Somerset to the lady came in the packet of the Earl of Northampton."

When asked for information against others, she said, "*Conclude what you will.*"

She confessed that she had delivered money to Weston, but not for "such a matter as was spoken against her." She heard say that the Prince was poisoned at Woodstock with a bunch of grapes. As for the Earl of Somerset "he spoke so broad Scottish as she understood him not." Then in the report of this confession there slips in another sentence, which shows the purpose of the clergyman and the way in which the tormented woman was prepared to say what was suggested to her. "*But have you not enough against these already?*" she asked. Afterwards she cried out with great passion against the woman whom the day before she had called as dear to her as her own soul. "O my lady Somerset, woe worth the time that I ever knew her! My love to them and to their greatness have brought me to a dogges' death."

Then she vehemently exclaimed against the Court: "O the Court, the Court! God bless the King, and send him better servants about him, for there is no religion in the most of them, but malice, pride, whoredom, swearing, and rejoicing in the fall of others; it is *so wicked a place as I wonder the earth did not open and swallow it up.* Mr. Sherif put none of your children thither.<sup>1</sup> . . . Neither my lady Suffolk nor my lady Somerset never received the Communion; *oh their greatness hath undone me*; but if

<sup>1</sup> The words in italics through these passages were interlineated in Sir Edward Coke's draft,



there were a religious man amongst them, it is my Lord Knolles. But it is a bad, *wicked, and damnable* world ; but if you live Mr. Doctor you shall see it worse."

*She said that Weston, being asked a little before Overbury's death, whether he were dead, "No," said he, "not yet ; but now I will go send the knave away packing. I will pull away his pillow and then be gone."*

There is no record in the State Trials of an old story that the judge sentenced Mrs. Turner to be hanged in yellow starched ruffs because, having brought them into fashion, "the same might end in shame and detestation." But Sir Symonds D'Ewes in his diary says that she appeared at her trial in that mode, and that the hangman wore yellow ruffs for the occasion, so that the fashion grew to be generally detested.

Her demeanour before execution, and her beauty, excited the deepest commiseration of the people who crowded to the spectacle, and all their hatred for her vile life and crime was forgotten in a flood of sentimental pity.

"Since I saw you," writes an eye-witness, "I saw Mrs. Turner die. If detestation of painted pride, lust, malice, powdered hair, yellow bands, and all the rest of the wardrobe of Court vanities ; if deep sighs, tears, confessions, ejaculations of the soul, admonitions of all sorts of people to make God and an unspotted conscience always our friends ; if the protestations of faith and hope, to be washed by the same Saviour, and by the like mercies that Mary Magdalen was, be signs and demonstrations of a blessed penitent, then I will tell you that this poor broken woman went *a cruce ad gloriam*, and now enjoys the presence of her and our Redeemer. Her body being taken down by her brother, Sir Norton, servant to the Prince, was in a coach conveyed to St. Martin's-in-the-Fields, where, in the evening of the same day, she had an honest and decent burial." <sup>1</sup>

<sup>1</sup> Mr. John Castle to Mr. James Miller, at Southampton, "Court and Times."

The wretched woman's beauty inspired a poet to the following lines, in which it is immortalised :

It seem'd that she had been some gentle dame,  
 For on each part of her fair body's frame  
 Nature such delicacy did bestow  
 That fairer object oft it doth not show.  
 Her crystal eye, beneath an ivory brow,  
 Did show what she at first had been ; but now  
 The roses on her lovely cheeks were dead ;  
 The earth's pale colour had all overspread  
 Her sometime lovely look ; and cruel Death  
 Coming untimely, with his winter breath,  
 Blasted the fruit, which cherry-like, in show  
 Upon her dainty lips did wholesome grow.  
 Oh, how the cruel cord did misbecome  
 Her comely neck ! and yet by law's just doom  
 Had been her death. Those locks like golden thread  
 That used in youth to enshrine her globe-like head  
 Hung careless down ; and that delightful limb,  
 Her snow-white nimble hand, that used to trim  
 Their tresses up, now spitefully did tear  
 And rend the same. Now she did forbear  
 To beat that breast of more than lily-white,  
 Which sometime was the lodge of sweet delight.  
 From those two springs where joy did whilome dwell,  
 Grief's pearly drops upon her pale cheeks fell.<sup>1</sup>

Sir Gervase Elways, formerly Lieutenant of the Tower, was the next to be brought up for trial. So far there was little evidence against him, and he had in all his examinations held firmly to the original statement made in his letter to the King, admitting that he had discovered the attempts to poison Sir Thomas Overbury, but maintaining on his solemn oath that he had done his best to prevent them.

But on the very morning of his trial the Lord Chief Justice obtained a confession from Franklin, of which he eagerly made use to prove the Lieutenant's guiltiness. Having detailed the seven deadly poisons provided by him,

<sup>1</sup> "Sir Thomas Overbury's Vision," an anonymous poem, published in 1615.

he said : " All these were given to Sir Thomas Overbury at different times, *and the Lieutenant knew of these poisons*, for that appeared by many letters which he writ to the Countess of Essex, which I saw, and thereby knew that he knew of this matter. One of these letters I read for the Countess, *because she could not read it herself*, in which the Lieutenant used this speech, ' Madame, the scab.is like the fox, the more he is cursed the better he fareth,' and many other speeches. Sir Thomas never ate white salt, but there was white arsenick put in it. Once he desired pig, and Mrs. Turner put into it lapis costitus. The white powder that was sent to Sir Thomas in a letter he knew to be white arsenick. At another time he had two partridges sent him from the Court, and water and onions being in the sauce, Mrs. Turner put in cantharides instead of pepper, *so that there was scarce anything that he did eat but there was some poison mixed*. For these poisons the Countess sent me rewards. She sent many times gold by Mrs. Turner. She afterwards wrote unto me to buy her more poisons. I went unto her and told her I was weary of it ; and I besought her upon my knees that she would use me no more in these matters. But she importuned me, bade me go on, and enticed me with fair speeches and rewards ; so she overcame me, and did bewitch me. . . . *She was able to bewitch any man.*"

This confession was on the face of it a tissue of lies. Franklin was prepared to go on lying in the desperate hope of saving his own life by accusing others ; and before he had done he had built up the most gigantic story of poisoning that was ever written down in all solemnity by English lawyers. In spite of the most obvious contradictions and the most palpable absurdities, it was all swallowed eagerly by the Lord Chief Justice, whose imagination was overheated by the desire to gain great glory in what he called " this great Oyer of Poisoning." The first confession by Franklin, which was mild and restrained in comparison with the others that followed, needs only a few words to show its absurdity. All the poisons mentioned by him—

aquafortis, white arsenick, mercury, etc., were of a deadly character. Yet he said that there was "scarce anything that Overbury did eat but there was some poison mixed." In that case Sir Thomas Overbury would not have lived five months in the Tower, nor would the poisoned clyster have been necessary, which ultimately, according to the evidence, brought about his death. The letters which he says were received from the Lieutenant of the Tower by the Countess of Somerset were never produced, and it is incredible that the lady should have shown them to the apothecary. One statement alone gives the lie to this story. He says that the Countess "could not read it herself." Yet we know that the Countess was able to read and write only too well, for two letters to Dr. Forman, which were exhibited in court, were in her handwriting. "She importuned me, and bade me go on," says Franklin; yet seven deadly poisons had, he said, already been administered! What a constitution Sir Thomas Overbury must have had! Nevertheless, it was this confession which the Lord Chief Justice held up his sleeve as a trump card on the morning when he sat in judgment on Sir Gervase Elways, though he kept it secret until the right moment, when by producing it suddenly, after the prisoner's defence, he could confound him in open court.

Apart from this, however, it must be acknowledged that there was a formidable indictment against Sir Gervase, and he was entangled in a chain of circumstantial evidence from which escape would be very difficult. There was the mysterious letter from Lady Somerset about the tarts and wine, saying that the former were to be given to Overbury, for there were *letters* in them, and that the Lieutenant's wife and children might drink the wine. There were Lord Northampton's letters to Lord Rochester, suggesting that the Lieutenant was conspiring with them in some way or other against the prisoner: "*I spent two hours yesterday prompting the Lieutenant with cautions and considerations; observing with whom he has to deal, that he might better act the part for the adventure in which he dealeth.*" That was a



very suspicious and incriminating sentence. Then there was a letter from the Lieutenant to the Lord Privy Seal, in which he said at the end: *But Rochester's part I shall much fear, until I see the event to be clearly conveyed.* What did he mean by those mysterious words? It would be difficult to explain them. The Lieutenant had already confessed that he had discovered Weston's attempt to convey poison to the prisoner, when the man had said, "Sir, shall I give it him now?" Yet he had kept him in his service, "favoured, countenanced, and graced him, and one time sent him a cup of sack, and bid his man tell him that he loved him as well as he did: all this while he paid him no wages, and as soon as Overbury died Weston was removed." Truly Sir Gervase Elways, former Lieutenant of the Tower, was caught in a very dangerous trap.

But there was one clause in the indictment which reveals the strange dishonesty of the Lord Chief Justice. Not content with all this incriminating evidence, he strengthened the case for the prosecution by deliberate falsehood. It was asserted in the indictment that when Weston was discovered and reproved by the Lieutenant he took away the poison, and that night gave it to Overbury in his broth: "*ergo*, the Lieutenant knew of the practice and poisoning of Sir Thomas Overbury." Now, that was a statement utterly unjustified by the examinations of the witnesses and by Weston's confessions, upon which the Lord Chief Justice relied so much, and too much, in the course of these trials. If he made use of Weston's confessions at all as evidence against other accused persons, he had no right to select certain phrases which told against the accused and to ignore others in their favour. As regards the phial of poison discovered by the Lieutenant, Weston had said again and again that the glass was broken and the poison poured away.

Sir Gervase himself protested against this method of selecting one thing and rejecting another, in words of real eloquence, which should have stirred the conscience of the Lord Chief Justice with some sense of shame and uneasiness.

"My lord," he said, "before I answer to the matter of the charges against me, let me remember your lordship of one speech which I heard from your mouth: I have heard you speak it at the Council Chamber, and you have delivered it at the assizes in the country: That when a prisoner stands at the bar for his life, comfortless, allowed no counsel, but strong counsel against him, perchance affrighted with the fear of death, his wife and children to be cast forth out of doors, and made to seek their bread, you have always pitied the cause of such a one. You have protested that you had rather hang in hell for mercy to such a one, than for judgment. My lord, you have not observed your own rule in my cause; you have paraphrased upon every examination, you have aggravated every evidence and applied it to me, so that I stand clearly condemned before I be found guilty. If I be so vile a man as your lordship conceives me, I were unworthy of any favour; but I hope your lordship shall not find it. So I will deny nothing that hath evidence of truth against me. I will not tell a lie to save my life, and I beseech your lordship so to conceive of me as to move your charity towards me." <sup>1</sup>

Elways defended himself with as much skill as any man might who had previously behaved with such utter folly. He took the "counts" of the charges one by one and answered them ingeniously. Regarding the discovery of the phial of poison in Weston's hand, he described again how he had "reproved and beaten him down with God's judgment." "If," he said, "you call this confessing and abetting, to terrify a man for his sins, and to make him confess his faults to God, then was I an abettor and comforter of Weston." With regard to his behaviour to Weston afterwards he defended himself on the score that he had been recommended by the Earl of Northampton and Sir Thomas Monson, and "thought they would commend no man to be a keeper which might any way endanger me." That was the weakest argument of his defence, for he could not confess that he had been afraid to denounce a man who,

<sup>1</sup> State Trials.

as he thought, was an agent of the Earl of Somerset and the Howards, and perhaps of the King himself.

As to the Countess's letters, "I never knew any other meaning," he said, "than the bare literal meaning; and sure after I had received the tarts, and they had stood awhile in my kitchen, I saw them so black and foul, and of such strange colours, that I did cause my cook to throw them away and make other tarts and jellies for him." Here again he failed to explain why he had kept this dreadful secret locked up in his own bosom.

As regards the Earl of Northampton's letter to him, he said it "was not anything touching the poisoning of Overbury, but for a close restraint, to the end that Overbury might agree to their purposes concerning the marriage to be had between Rochester and the Countess: if the Earl of Northampton had any other plot to take away his life, I was not anything of his council, or had knowledge therein."

But when he was asked what he meant by those strange words, "Rochester's part, I shall greatly fear until I see the event to be clearly carried," he was, according to the reporter, much confused. "He staggered and wavered much." Then he said:

"It was long since I wrote this letter, and for the particular circumstances that induced me to this speech I cannot now call to memory; but sure I am that at that time, knowing myself to be innocent, I could the better have satisfied my remembrance, so that I meant nothing about the taking away of his life: but because I was a stranger to Rochester, and had heard and known of that great league that was between them, I might well think, suspect, and fear, whether he would always countenance these projects for his restraint."

Although that explanation did not satisfy his judges, it was in all probability a true account of his state of mind when he first became involved in the plot. The vanity of the man was flattered by the friendliness of the Lord Privy Seal, and his fears of the King's Favourite, who could

make or mar his fortunes, made him desperately anxious not to thwart his purpose if it were the close and continued confinement of Overbury, and, on the other hand, not to be led by Northampton into a conspiracy against the unfortunate prisoner, which might not be sanctioned by the Earl of Somerset, who had been Overbury's friend and patron.

After protesting earnestly before God and his own soul that he was innocent of Overbury's death, he summed up all the points in his favour in a lucid and clever way.

"I will prove unto you," he said, "by many infallible and unanswerable reasons, that I could not be aider and comploter with Weston in the poisoning. First, I made a free and voluntary discovery of it myself. I was not compelled. Will any man imagine that I could discover a thing whereof I could not clear myself? *Nature is more kind than to be its own accuser.* Besides, that my clearness might more appear, and remain in the world without any suspicion, I accused and produced the murderer Weston: it had been a senseless thing, and absurd in me, if I had not thought myself clear, to have accused him, who might have done as much for me. Nay, Weston himself proved to be an honest man before the Chancellor of the Exchequer, for he confessed to him and others being present, that *he thought that the Lieutenant knew not of the poison*: and in his examination before the Lord Chief Justice and Serjeant Crew, being asked the meaning of these words, 'Shall I give it him now?' he answered that he thought that those who had set him on the work had acquainted the Lieutenant with their plot. Also I was so confident in my own innocency that I told my Lord Chief Justice, and my Lord Zouch, the way to make Weston confess, and to discover all, which was by fair and gentle entreaty of him, and so by this means they might search the bottom of his heart. And after Sir Thomas Overbury was dead Weston and Mrs. Turner were sent to know of me whether I had any inkling of the death of Sir Thomas. *What need they have made this question if I had*



*known anything thereof?* Also, that which I do know concerning the poisoning of Sir Thomas was after his death by relation of Weston ; and here am I indicted as accessory before the fact, when I knew nothing till after the fact."

When he had endeavoured to prove these arguments by the statements of witnesses in the examinations, he went on to say: "If I be in the plot the Lord Treasurer<sup>1</sup> is in it, as I have his letter to show. He called me to his lodging and said 'The plots, you know them as well as I, the plots were only to repair her honour.' My wife hath the letter from my Lord Treasurer and Monson ; for these plots I run willingly to my death if circumstances be knit with any manner of fact."

Then he addressed himself directly to the Lord Chief Justice, and said that he did not attempt to defend himself from all blemish, but only from blood-guiltiness. "I have not repented me other than of errors of judgment in not detecting what I suspected, and yet I do ask God forgiveness daily for lesser sins ; but of this I know no other but *the gross error of my judgment* in not preventing it, when I saw such intendment and imagination against him" [Sir Thomas Overbury].

Finally, Sir Gervase Elways put the case to Sir Edward Coke :

"If one that knoweth not of any plot to poison a man, but only suspecteth, is no actor or contriver himself, only imagineth such a thing, whether such a one be accessory to the murder ; for the words of the indictment are, *abetting and comforting with malice*. Now if there be any man, that charges me expressly, or in direct terms, that I was an abettor, or if the Court shall think in this case which I have put, that such a concealing with malice is an abetting, I refuse not to die ; I am guilty."

So he finished his defence, which must be acknowledged as an able and courageous and eloquent argument. It has indeed the ring of truth in it, and, apart from his failure to explain his reasons for hushing up the attempts at

<sup>1</sup> The Earl of Suffolk, Lady Somerset's father.

poisoning when he first discovered them, it is a very persuasive plea for his acquittal at the bar of history.

But the Lord Chief Justice did not grant any points in his favour. Having defended his own "impartiality," he rebuked the prisoner for his "malicious" accusation of the Lord Treasurer. "In the examinations I have taken," he said, "and in all the exact speech for the finding out of the truth, I saw not that honourable gentleman any way touched."

Then he arrived at that dramatic moment for which he had been waiting, and drew out from his bosom Franklin's confession, flourishing it before the prisoner.

"This poor man," he said, "not knowing Sir Jervis should come to his trial, this morning he came unto me at five o'clock, and told me that he was much troubled in his conscience, and could not rest all that night until he had made his confession, and it is such a one as the eye of England never saw, nor the ear of Christendom ever heard."

The remarkable confession of "the poor man" was then read out, with startling effect upon the crowd in court, and to the consternation of the unfortunate prisoner, who, we are told, "knew not what to answer." It was, of course, impossible to do anything but deny the truth of Franklin's statements, and he had no time or opportunity to produce counter-evidence. Probably he knew too well that a judge who would make use of such a document was determined to condemn him, and that his doom was sealed. After his vain denials and protests the jury retired, and returned very quickly with a verdict of Guilty, when the Lord Chief Justice gave judgment of death against him.<sup>1</sup>

On the day following the trial the King wrote to Coke from Newmarket wishing him to use all possible means to induce Sir Gervase Elways to still further reveal his knowledge. His execution was to be postponed on this account, and in order to leave him time to arrange his worldly affairs. His estate, out of pity, was to be granted

<sup>1</sup> State Trials.

to his wife and many children. "I wish," said James, "if precedent permits, that he should be executed in a less infamous place than Tyburn, having been Lieutenant of the Tower."<sup>1</sup>

Dr. Whiting, who seems to have had a special gift for extracting and noting down confessions, was again employed in this business, and visited Sir Gervase Elways before his execution. Afterwards he reported the results of his examinations to Sir Edward Coke, who put them down in his own handwriting, the sentences in this document being interlined in some places, and written over erasures, showing that there was some care given to the "editing" of this confession. When one thinks of the difficulty of remembering the exact words of a conversation which is not taken down in shorthand, even when one has no object in twisting or exaggerating certain phrases, the value of these confessions in the Overbury case must be very much discounted. Dr. Whiting, naturally anxious to play into the hands of the Lord Chief Justice, had to repeat what he had heard from the condemned man. Sir Edward Coke wrote down what he remembered of Dr. Whiting's statement, and touched it up to suit his own purpose. According to modern ideas of justice, such a document would have no legal value.

According to the clergyman, however, Sir Gervase confessed that he wrote the letter to the Countess which had been mentioned by Franklin, in which was used the phrase: "This scab is like the fox, who the more he is cursed the better he fareth," and that it was agreed between the Earl of Northampton, the Countess of Essex, Sir Thomas Monson, and himself, that the word "scab" should be the byword in all their letters to express Sir Thomas Overbury. If that were so, it is a curious thing that in all the letters exhibited in court not one of these

<sup>1</sup> State Papers, November 17, 1615. Howell in his "Familiar Letters" says that the Earl of Pembroke was granted the Lieutenant's estate, which came to above £1,000 per annum, but that he freely bestowed it on the widow and children,

people used that "byword"! He still maintained, however, said Dr. Whiting, that although he knew of the resolution to murder Overbury he took no share in it himself. "This was my villainy and foulness of my fact, that I, knowing it, suffered any man to practise upon him being under my custody, and not to discover it."<sup>1</sup>

On Sunday, at five o'clock in the evening, a messenger was sent to the wretched man to prepare himself for death on the following morning. Dr. Whiting and another clergyman were with him, but he begged to be private, "and cast himself grovelling upon his bed." Two hours afterwards the clergyman came to him again, and asked him how he did.

"As well as a dying man may do," he said. "But I will tell you.—I have, since you went, ript up myself from my cradle, and have found myself to be a most horrible, filthy, vile, and beastly sinner, and one that has abused all the gifts and graces that ever God of His mercy has bestowed on me, turning them to wantonness, and the serving of my own concupiscence."

According to Dr. Whiting, edited by Sir Edward Coke, he said among other things to the clergyman, "*they pressing his conscience*," that when Weston told him about the attempt to poison Overbury, and when the Lieutenant *seemed* to dissuade him, "Why" (said Weston), "they will have me give it him first or last." Upon which Sir Gervase said: "Let it be done so as I know not of it."

On the next day, at six o'clock in the morning, Sir Gervase was taken to Tower Hill, where a gibbet had been set up, and where a great crowd of nobles, gentry, and common people had assembled to see him die. He came on foot to the gibbet from Sheriff Goare's house, between Dr. Whiting and Dr. Felton, the two chaplains. Then walking to the foot of the ladder he talked a word or two to the hangman. Then he went up the ladder four or five steps, the hangman sitting over his head at the top of the gibbet. Finding the ladder to be too upright to

<sup>1</sup> Confession of Elways. Copied by Amos from the State Papers,



admit of his sitting with ease, he asked to have it altered, and came down while that was done. Then he went up six steps, and, "sitting easily," made his last speech to the world.

He began by declaring that his chaplains had opened his eyes to the greatness of his sin, which he had now confessed. Then he thanked the King for having granted his request to die at a nobler place than Tyburn. He looked up at the Tower, and lamented that he was not still there to do loyal service to his King and country. Then he spoke of the plot that had gone on in that place. "I was by divers tricks drawn into that action, which I received from the Earl of Northampton and Sir Thomas Monson, and none others, but had I remembered the 119th psalm, 115th verse, and said with that holy prophet, 'Away from me, ye wicked, for I will keep the commandments of my God,' then had I refused such like tricks. Alas! now too late!"

After exhorting his hearers to obey the words of God, he addressed them with great emotion.

"Nobles and others, to see your faces it rejoiceth me, whereby you manifest your love in granting my request, to be witnesses of my death. I see a number of my friends—there—and there—and there." He pointed to them as he spoke. "Take heed, and let my example incite you to serve God truly and uprightly, better than I have done, lest a shameful death overtake you, as it doth me, who am unworthy of my parents' care in bringing me up. It may be some will say I have a flinty heart, because I shed no tears; my heart is flesh as any other's, and I am as faint-hearted to look death in the face as others: but because my use hath been not to shed tears I cannot now easily, except it be for the loss of some great friend; albeit, now my heart beginneth to melt with a tear, being wounded" [here the tears stood in his eyes] "to see the faces of some here present, whom I most earnestly love, and from whom I must depart with shame."

Now he made a strange confession, which produced great effect upon the crowd,

"I confess I have been a great gamester, and especially on the other side [of the town] have wasted and played away many sums of money, which exhausted a great part of my means; which I perceiving, vowed seriously (not slightly or unadvisedly) to the Lord in my vows and prayers, '*Lord, let me be hanged if ever I play any more!*' which not long after is most justly come upon me, whereof you are all eye-witnesses, because a thousand times since I brake this my vow."

While he spoke these words he caught sight of Sir Maximilian Dallison, a friend of his, who was on horseback near the gibbet, and he called out to him: "You know, Sir Maximilian, what gaming we have had, and how we have turned days into nights, and nights into days: I pray you in time leave it off; and dishonour not God in His Sabbaths, for He hath always enough to punish, as ye now see me, who little thought to die thus."

The knight, abashed to have his faults discovered publicly like this, answered:

"Sir Gervase, I am much grieved for you, and I shall never forget what you have here said."

"Look to it then," said Sir Gervase.

Then he continued his speech, deploring that he had not revealed "the heinous plot," so that he might have prevented many from being widows, and some from being fatherless—"among whom mine own wife for one, and eight fatherless children of mine, whom I now leave behind." He said that the Lord Chief Justice had called him an Anabaptist, but he hated that condition. As for his wife, some said she was a papist, and he confessed that she was fond of the company of papists.

Then he spoke to the Sheriff:

"If it may be permitted without offence, I have somewhat to say, and it is this: Is it lawful for any one here to demand of me any questions?"

"It is not lawful," said the Sheriff. "Therefore, good Sir Gervase, forbear."

"It is enough, it is enough," said the condemned man,

Then he said, "I have here one that holdeth my cloak. May I bestow somewhat on him?"

"That you may, sir," said the Sheriff.

Then Sir Gervase called a young man who stood waiting at the foot of the ladder, and gave him some pieces of money out of his pocket, saying, "Here, take this; spend it." The young man accepted the gift and burst into tears.

Dr. Whiting and Dr. Felton, who were very satisfied, it seems, with the contrition of the gentleman whose conscience they had been "pressing" so successfully, now "strained courtesy which of them should begin a public prayer." Each one graciously desired the other to do this; and Sir Gervase might have waited at the foot of the gallows until he died a natural death if Dr. Whiting had not at last said:

"If you, Sir Gervase, can perform it yourself, you of all men are the fittest to do it with efficacy both of soul and spirit."

"I shall do my best, then," said the unhappy gentleman, who seemed, however, to get some comfort from this last public act in the drama of his life. "But my hearers," he said, "I crave your charitable construction if with half words and imperfect speeches I chatter like a crane."

His prayer is given fully in an old book of the time called "Truth Brought to Light," and it is very flowing and ardent in its piety; but one cannot help suspecting that the words were rather what Sir Gervase should have said than what he did say.

The prayer being ended, he asked if he might pray privately.

"Yes, sir," said one of the clergymen.

Then he made a short prayer to himself, covering his face with his hands. Then dropping his hands again he said:

"Now I have prayed, now I must pay—I mean, do the last office to justice."

"Sir Gervase," said Dr. Whiting now, "you may stand one step lower on the ladder,"

"It is better for him, Mr. Doctor, to be where he is," said the Sheriff, more expert than the worthy clergyman in the science of hanging.

"Stay!" said the clergyman to the hangman. "He hath given a watchword, and he is in private prayer again."

"Yea," said the hangman, dangling his legs from the top of the gibbet, "I know that, for he hath given me a watchword when I shall perform my office to him."

Presently Sir Gervase Elways uncovered his face again, after his second short prayer, and took leave of all the crowd, saying, as it seemed, quite cheerfully:

"I pray you pray for me, who shall never more behold your faces."

Then he said fervently:

"Lord, I desire at Thy hands the bitter cup of death, as the patient receiveth a bitter potion, not once demanding what is in the cup, but takes and drinks it off, be it never so bitter."

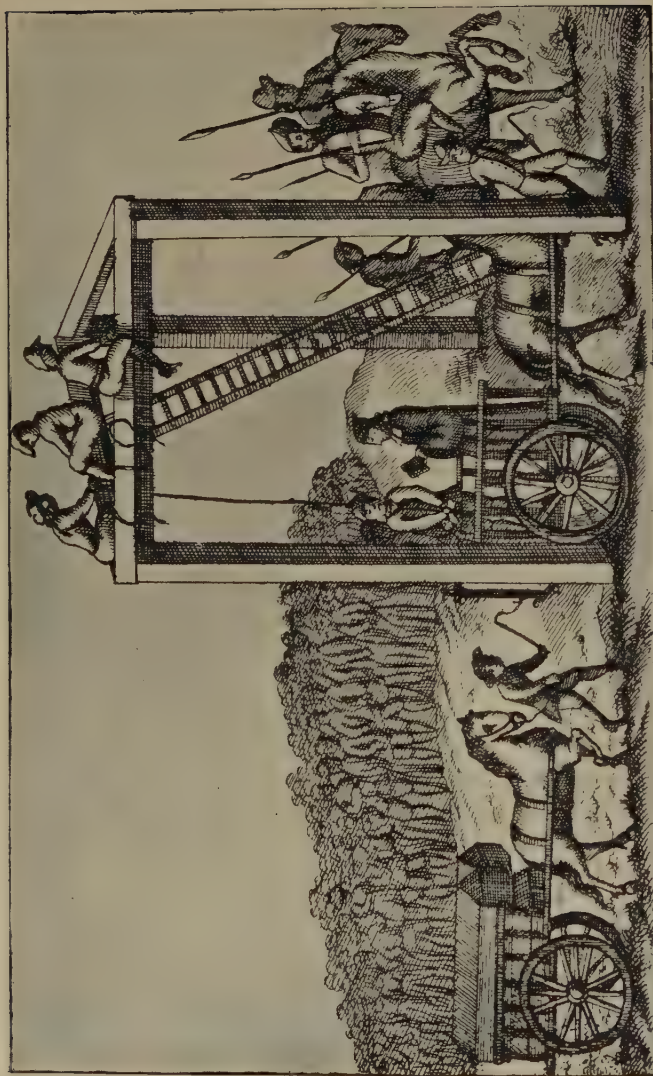
A moment later he said, "Lord Jesus, receive my soul."

It was the hangman's watchword, and at that moment he was jerked off the ladder, while instantly the hangman's assistant caught hold of one foot, and his own servant the other foot, and dragged him down so that he might choke quickly. "Hanging a small distance of time, his body not once stirred; only his hands a little stirred and moved, being tied with a little black ribband, which a little before he had reached to the executioner, putting up his hands to him for that purpose."<sup>1</sup>

So died the Lieutenant of the Tower, a man who had in his mouth many pious phrases even when he detected one of his gaolers in an attempt to poison a distinguished prisoner, and who was so charitable that he drank sack with him and prayed with him again, instead of sending him to the nearest dungeon, which was very near, and calling for the officers of law. In his last hour before the

<sup>1</sup> The whole of this account is taken from the description in the State Trials,





From an old print in the Gardiner Collection, by kind permission of Mr. Edmund Gardner; reproduced in *The Daily Graphic*, September 4, 1904, in an article by Mr. Herbert Sieveking.

AN EXECUTION AT TYBURN.



scaffold, the gentleman's piety—if his words are truthfully reported—seems rather too theatrical for one whose soul was so soon to be liberated from the flesh. But in those days men were nearly all actors, even in the very face of death. The dramatic instinct was strong in them, and a peer, a knight, and a highway robber would make the most of the last scene when they stood, as it were, in the centre of the stage of life and addressed the world about them. The dramatic instinct is not necessarily a sign of insincerity. Indeed, great actors are always sincere even when their emotions are merely imaginary; and we may well believe that when Sir Gervase Elways made his last speech his emotion came straight from his heart, and that it was with a true piety and faith that he commended his soul to God.

Now came the trial of James Franklin, doctor of medicine and magic, who, because of his convenient confessions, was kept back until others had been, in the hangman's phrase, "turned off" on the gallows tree. In that statement which "the poor man" (as the Lord Chief Justice called him, before it was time to sentence him to death) had written down on the eve of the Lieutenant's trial, there were passages not read out to Sir Gervase Elways, referring to other people.

Franklin confessed that he had been approached first by Mrs. Turner, who prayed him to provide "that which should not kill a man presently [immediately], but lie in his body for a certain time, wherewith he might languish away little by little." At the same time she gave him four angels, with which he bought aquafortis. This he sent to Mrs. Turner, who experimented with it on her cat, to the great discomfort of that creature, "who pitifully cried for the space of two days and then died."

Afterwards, said Franklin, Mrs. Turner sent for him to go to the Countess, who told him that aquafortis was too violent, and what did he think of white arsenic? He thought it was too violent. Then the lady asked him what he said to powder of diamonds, and he said that he

did not know the nature of it. Upon that the lady called him a fool, and gave him the money to buy some of that powder. It did not occur to the Lord Chief Justice that all this was inconsistent with the story of the seven deadly poisons which Franklin said in the same confession were "*all* given to Overbury at several times." Nor did it occur to Sir Edward Coke that if aquafortis had been "too violent a water" so that powder of diamonds was substituted, then the charge made against Weston and Sir Gervase Elways of having given the liquid poison to the prisoner was untrue. Yet they had been sentenced to death for that. If these things did occur to the Lord Chief Justice he did not trouble about such inconsistencies.

Continuing his confession, Franklin had said that a little before Sir Thomas Overbury's death, the Countess sent for him and *showed* him a letter from the Lord of Rochester, in which he *read*<sup>1</sup> these words: "I marvel at these delays, that the business is not yet despatched." By this Franklin "thinketh in his conscience" that the poisoning of Sir Thomas Overbury was meant. In another letter from the Lord of Rochester was written that "Sir Thomas was to come out of the Tower within two days, and they should all be undone." Upon this the Countess, said Franklin, sent for Weston, and was very angry with him that he had not despatched Overbury. Weston then told her that "he had given him a thing which would kill twenty men."

A fortnight after Weston's arrest the Countess (he continues) sent for him to her house in St. James's Park, where he found the lord and his lady walking together, and as soon as he came *the Earl went apart into a chamber*.<sup>2</sup> Then the Countess told him that Weston had been sent for by

<sup>1</sup> As we shall see later, Franklin said in his examination that he had only been *told* by the Countess that she had received such a letter.

<sup>2</sup> In his examination Franklin said nothing about *seeing* the Earl of Somerset; on the contrary, he said that the lady "retired into an inner room to speak with one *whom he verily believes to be my Lord of Somerset*."



a pursuivant, and had confessed all. "We shall be hanged," she said, "but on your life do not you confess that you brought any poison to me, or to Mrs. Turner, for if you do you shall be hanged, for I will not hang for you." Thereupon Mrs. Turner said, "I will not hang for you both."

Then the Countess told him that "the lord who was to examine him would promise him a pardon to confess: but *believe him not*, for they will hang thee when all is done."

It was rather artful of that "poor man," Dr. Franklin, to put in that last touch. It was a plain suggestion to the Lord Chief Justice that he should disprove the wicked lady's words by *not* hanging him after confession. In the last statement of his confession, however, the doctor was rather careless of dates. He says that after this conversation Weston came to his house and said: "Now the Countess's turn is served she used him unkindly, and they should be poisoned, and that two were set of purpose to poison him." Seeing that Weston was in the close custody of Mr. Sheriff Goare, it was obviously impossible for him to pay friendly visits to Franklin. Secondly, Weston admitted that he had been well paid for his services, and evidence was given that Dr. Franklin had received £200 from the lady on her marriage day.

But it was nobody's business, it seemed, to analyse these different statements, and to reveal their contradictory character. It was sufficient that Franklin confessed to being an accomplice in the crime and to having bought the poisons; though in the same breath with which he said that, "he thinketh in his conscience that the poisoning of Sir Thomas Overbury was meant," he "protested his ignorance of what they meant to do with them."

The Lord Chief Justice did not take the hint as to a pardon after confession, and Franklin was indicted at the King's Bench on November 27, and having again "confessed his examinations under his own hand," was sentenced to death.

Now, Franklin was a man of imagination and resource. He seems indeed to have been a shrewd judge of character

and to have had a grim sense of humour. It occurred to him that if he could not escape hanging he might at least postpone that unhappy event by making further revelations of a fancy kind which would strike terror into the heart of Sir Edward Coke, and curdle the blood of the chaplains who came to give him ghostly comfort and to tease him with questions.

This amiable idea was not entirely original, for it was suggested by the character of some of the questions put to him. The truth is that Lord Chief Justice Coke had got into his head a notion that a greater mystery lay behind this "poison plot," as he called it, than he had yet fathomed. There came to his mind some of those dark rumours that had followed the death of the lamented Prince Henry. It had been murmured then that the poor Prince had not been carried off in a natural way. It is true the doctors examined his body and denied all trace of foul play, but Sir Edward Coke was, in his own esteem, very much wiser than all doctors of medicine. It was not for nothing that Thomas Packwood, merchant tailor of London, wrote to him saying that John Ferris, cook to the late Prince, and *afterwards preferred by Somerset to the Queen*, refused to go out with Richard Keymer, yeoman of the counting-house to the Prince, because he was making jellies for Overbury.<sup>1</sup> It is true that Keymer denied part of this story. He swore that all he told Packwood was that Ferris, master cook to Prince Henry, had made jellies for the Earl of Somerset. But that was sufficient for black suspicion. The Earl had hated Prince Henry. Prince Henry had died in the flower of his youth mysteriously. The Earl had murdered Overbury with poisoned tarts and jellies and other poisons. The man who had made those jellies had been master cook to the Prince. Was not that a damnable chain of evidence?

The Lord Chief told some of these things to Dr. Whiting, who had served him so faithfully, and the clergyman went off to Franklin to put some close questions to him.

<sup>1</sup> Packwood to Coke, State Papers, November 18, 1615.

Franklin saw the drift of things, and answered the questions with such terrible suggestions that Sir Edward Coke, to whom they were reported, began to see red and dream o' nights of poison in every dish. Franklin, who saw a respite for himself, confessed that he had said at the bar to some near him at the trial that *there were greater persons in this matter than are yet known*. "And so there are," he said to the chaplain. "Although the Chief Justice has found and sifted out as much as any man could, yet he is much awry, and has not come to the ground of this business, for more were to be poisoned and murdered than are yet known; and I marvel that they have not been poisoned and murdered all this while."

These were words to make the flesh creep, but Franklin had more to tell. He was asked whether he was not to have had a hundred pounds to be employed against the Palsgrave and the Lady Elizabeth. "A hundred! nay, five hundred. I will not, however, say much."

But he said a good deal, nevertheless. He said that the Earl of Somerset and the Countess had the most aspiring minds that ever were heard or read of. He said that the Earl neither loved the Prince nor the Lady Elizabeth. "I could say more, but I will not." Yet again he did say more. "Do you not [know] the King used an outlandish physician and an outlandish apothecary about him and about the late Prince, deceased? Therein lyeth a long tale."

Being told that the Queen had been extraordinarily sick and pained, and her young children taken away, he said, with an air of great mystery, "Soft! I am not come to it yet."

"I think, next the Gunpowder Treason, there was never such a plot as this is. I could discover knights, great men, and others. I am almost ashamed to speak what I know."

According to Dr. Whiting, he *could have* confessed he had seen twenty letters from the Lieutenant to the Lady of Essex, whereof two he formerly confessed; and Sir Thomas Monson brought her word from the Lieutenant

how Sir Thomas Overbury did, and so did one knight and another knight more.

"If I cannot prove these things, I should be ten thousand times more the son of the devil than now I am; but God hath sent me now more grace than so to do."

He was told that it was not possible that so young a lady as the Countess of Somerset could contrive such a plot without some help.

"No, no," said he. "Who can think otherwise? For the lady had no money; but the money was had from the *old* lady [the Countess of Suffolk]; out one day £200, and another day, £500, for she wanted no money."

Then he said: "There is one living about the town that is fit to be called and questioned about the overtures and the plot against the Earl of Essex. *I can make one discovery that should deserve my life!*"

Finally, he said that he had some knowledge in all acts, and villainies, and knaveries in the world; but now he had recanted and repented them, for which he thanked God.

"I could never find, by any constellation or commutation, that I should be hanged; but ther's the devil had deceived me."

All these words reported by Dr. Whiting, with or without additions, were solemnly written down by Sir Edward Coke in his own hand, as may be seen to-day. How the Lord Chief Justice of England could have swallowed such a cock-and-bull story by a man condemned for murder, and so evidently struggling to obtain a reprieve by concocting these "horrible revelations," is inconceivable. But Coke was completely taken-in, and believing that he had got a glimpse of a wholesale poison-plot, of which the Overbury case was but an insignificant detail, he proceeded at once to examine pastry-cooks and serving-women who had, or were supposed to have had, some share in providing the last banquet for Prince Henry.<sup>1</sup>

<sup>1</sup> There are several examinations of these people reported in the Domestic State Papers for November 1615.



Coke then wrote to the King, telling him that Franklin had been respited "to give further light"; and he gave James to understand that there was a most serious business demanding his investigations. "The newly discovered villainies," he said, "touch not the King nor Prince that now is, but some persons near to His Majesty."<sup>1</sup>

Evidently, however, Franklin did not reveal anything more of importance. Perhaps his stories became so wild that even Lord Chief Justice Coke could not swallow them easily. The order was given for his execution; but before he went to the scaffold, Dr. Whiting made a final attempt to drag something further from him. The last scenes of his life are revolting in their mingling of false piety and blasphemy, and beneath all the man's theatrical displays of penitence one seems to see a smile on the villain's face as to the last he duped his spiritual comforters.

A psalm of mercy was sung before him in the common gaol, and Franklin on his knees "showed himself penitent and wept bitterly." Then being taken into a parlour he said: "I tell you, for my comfort, *non sum quod fui*; and wheresoever I dine to-day, I doubt not but to sup with the Lord: and I hope to have the start of you all." Then he joined in prayer with the chaplain, "holding up his eyes and hands to heaven." When the chaplain desired God "to forgive him his bloody and sanguinary sin," he held up his hands and eyes again, and struck his breast. Then he reconciled himself to a man named Dudson, with whom he had quarrelled, and giving him his hand, told him, "in token of a full reconciliation, *where to find out witches*, and gave him a note thereof." There is something horribly comic in this bequest of a recipe for witch-finding from a man who was professing penitence for his dabbling in black magic.

When Dr. Whiting pressed him again to confess all his secrets, he said "there are three other great lords in this foul fact, not yet named [besides the Earl of Somerset, the

<sup>1</sup> Domestic State Papers, November 29.

Lord of Northampton, and that other great lord, whom the Doctor . . . J."¹

"I shall die within this hour," he said, "and on my soul it is true." But he would not give any further details. When it was told him that the Lord Chief Justice would find them out, he said, "I think so, too"; adding, we are told: "God bless the King, for he has many enemies; and God bless the Queen, *for she was bewitched three years ago.*"

Presently the hangman came to the prison, and, according to the old custom, begged his forgiveness. Franklin took him by the hand and gave him some money.

"When time shall come," he said, "do me a kindness: hang me finely and handsomely. Art thou the man that shall hang me? Thou lookest like a man to do better service, and I hope thou shalt do greater service shortly among some great or noble ones that shall follow after."

Then he was pinioned and put in a cart, which was driven to the scaffold at Tyburn, through the crowds assembled on the way, to whom the condemned man caused some money to be flung.

When he came to the gallows tree he confessed his greatest lie, that all his previous examinations were true. "Upon my soul," he swore. Then, theatrical to the last, he kissed the gallows several times, and turning round to the chaplain, said, "There were three greater birds and lords, as I told you this morning, than yet are discovered; and so, and so, and so" ("for these," said Dr. Whiting, "were his words").

"I pray God bless the King and the Council, and my Lord Chief Justice; he is an honourable man, but I must needs say he hath done me some wrong."²

Upon this the chaplain said, "My lord is an upright judge."

"Yea," said Franklin, "he is right."

¹ In the margin opposite the words in brackets Sir Edward Coke wrote: "Omit that is between the strike." Amos.

² Some of these words were put in after the first draft by Sir Edward Coke, who was "the honourable man" referred to.

Being asked whether he would pray or sing a psalm, he said : " It is no time " ; and having tied a napkin about his eyes, he murmured to himself, and held up his hands and put the halter about his neck : when the cart was driven away he dangled in the air.<sup>1</sup>

The first rumours that reached the world of the mysterious and dreadful conspiracy of poisoning which haunted the imagination of Sir Edward Coke were given in court by the Lord Chief Justice himself, when he sentenced Franklin to death. " Knowing as much as I know," he said, " if this plot had not been found out neither Court, City, nor many particular houses had escaped the malice of that wicked crew." These were startling words, which produced an immediate and powerful effect upon the public. At a time in English history when a dread of poisoning obsessed the nation, and when no great man could die suddenly without rumours of dark deeds being carried on every breeze, such a statement by the chief judge in open court was paralysing in its suggestion. The relationship of the Countess of Somerset to the great House of Howard, and the position of the Earl as King's Favourite, made such words horrible in their ominous significance, and it was only natural to believe that Sir Edward Coke had discovered the details of some organisation of traitors and murderers who intended, perhaps, to kill the King himself and all the Royal family. Such absurdities may amuse us now, but they were very real in their terrors to a people who had only recently recovered from the great scare of the Gunpowder Plot.

On December 4 the Lord Chief Justice made another mysterious statement, when Sir Thomas Monson was indicted before him for conspiring with Weston to poison Overbury.

" I dare not discover secrets," he said, " but though there was no house searched, yet such letters were produced as

<sup>1</sup> " Franklin's Behaviour and Speeches before and at the Time of his Execution," in Sir Edward Coke's handwriting. Amos.

*make our deliverance as great as any that happened to the children of Israel."*

Sir Thomas Monson faced this terrible judge, who made use of mysteries instead of evidence, with cool courage. He desired, he said, an answer from the Lord Treasurer Suffolk to two questions which would clear him of this accusation.<sup>1</sup> He also demanded that Sir Robert Cotton should be present.

The Lord Chief Justice rebuked him for naming the Lord Treasurer, "who hath ever been honourable."<sup>2</sup> As for an answer to the questions the following letter had been received from Lord Suffolk :

"I have heard that Sir Thomas Monson thinks I can clear him, but I know nothing of him to accuse or excuse him : but I hope he is not guilty of so foul a crime."

"You hear," said the judge. "He will neither accuse you, nor excuse you."

"I do not accuse the Lord Treasurer," said Monson, "nor calumniate him, for I know he is very honourable, but I desire to have an answer to my two questions."

"You shall hear more of that when the time serveth," said the Lord Chief Justice sternly. "Do you, as a Christian, and as Joshua bade Achan 'My son, acknowledge thy sin, and give glory to God.'"

"If I be guilty, I renounce the King's mercy and God's. I am innocent."

"There is more against you than you know of," said Coke darkly.

"If I be guilty it is of that I know not," answered Monson.

This extraordinary altercation between the judge and the prisoner continued.

<sup>1</sup> The two questions, as we learn from the State Papers, were as follows : Whether the appointment of Sir Gervase Elways to be Lieutenant, and not Sir Roger Dallison, was done by Northampton only.

<sup>2</sup> The Lord Treasurer, Suffolk, was evidently protected by the King from Coke—"who was a respecter of persons," and dealt very gently with him, in spite of Franklin's accusation.



"You are popish," said Coke. "That pulpit was the pulpit where Garnet died, and the Lieutenant as firmly. I am not superstitious, but we will have another pulpit."

Then one of the judges named Doderidge joined in this altercation, which was so utterly lacking in the dignity of justice.

"It is an atheist's word to renounce God's mercy," he said. "You must think the change of your lodging means somewhat."

Hyde, the Queen's attorney, then put in his word :

"I have looked into this business, and I protest, my lord, he is as guilty as the guiltiest."

"There was never man more innocent than I," said Monson resolutely. "In this I will die innocent."<sup>1</sup>

His trial was adjourned, in order, as we learn, that he might be used as a witness against the Countess of Somerset. He was therefore taken to the Tower, "the people," says Coke himself to the King, "reviling him bitterly on the way."<sup>2</sup>

All these trials, and the examinations of witnesses preceding them, had been leading up to one end, that is the proof of guilt against the Earl and Countess of Somerset. Of the lady's guilt there was more than ample evidence. The examinations of Weston, Mrs. Turner, and many other witnesses had revealed her as the woman who had planned the murder and paid the agents of it. But until November 27, when Franklin made his extraordinary confession, there was practically nothing which dragged in her husband. It is indeed very much in favour of the Earl's innocence that in spite of the pressure put upon the accused people before and after condemnation, and the suggestive questions asked of them, they did not—with the exception of Franklin—make any statement which put any grave suspicion upon the Earl of Somerset. But it was now absolutely necessary to the reputation of the Lord Chief Justice to establish the Earl's guilt. On

<sup>1</sup> State Trials.

<sup>2</sup> State Papers, December 4, 1615.

October 19 and 23, when Weston had been placed at the bar, Coke had plainly indicated the complicity of both the Earl and Countess. His more remarkable assertions about a great conspiracy on November 27 and December 4 would recoil on his own head if he failed to produce evidence of guilt against Somerset, and Weston's hope that the big fishes would not escape would be remembered by the nation. According to our modern ideas of evidence, Franklin's confession—even if true—was utterly worthless as a proof of the Earl being accessory *before* the fact. None of the letters he mentioned as having been sent from the Earl (then Viscount Rochester) to the lady could be found or produced, and his account of the conference two years after the death of Overbury was—again, if true—of value only in suggesting that the Earl was an accessory *after* the fact. But even at the best it was only hearsay evidence. In his examinations which preceded his confession, Franklin had said that the lady had *told* him she had received letters from the Earl with reference to Overbury's murder, and with regard to the interview that she had entered into an inner room "to speak with one whom he verily *believed* to be the Earl of Somerset." Sir Edward Coke summoned Mrs. Turner's maidservant, Mary Erwin, who, examined, though not on oath, said that she had fetched Franklin to the Cockpit on the night in question, and "she was sure that my Lord of Somerset came that night from Court and was at the Cockpit when she came." This seemed good enough for the Lord Chief Justice, and he now wrote to the King, saying, that "he and others have discovered sufficient matter against the Earl of Somerset."

There were, however, two reasons why the trial of the Earl and Countess had to be postponed. One was that the Countess was shortly to become a mother, and it was the King's desire that his former Favourite should not be brought to the bar until after that event. The second was that Sir Edward Coke suspected from certain papers which had fallen into his hands that Somerset had been in

treasonable correspondence with Spain, and thought it necessary to summon Sir John Digby from Madrid to give information on that point. Sir Robert Cotton had already been arrested on the same charge, and all his papers had been seized.

For the first event the Lord Chief Justice had not long to wait. The accused lady gave birth to a girl child on December 9. She had vowed not to survive that event, and to deliberately cause her own death. By the King's personal orders, nurses had been placed in attendance on her to prevent any tragedy.<sup>1</sup>

It was a tragedy enough when from the marriage of Robert Carr and Frances Howard there came into the world this little daughter at a time when both father and mother lay separately in close custody upon a charge of murder and in fear of death. The mother wept constantly, in despair and terror; and as her first child lay upon her breast she knew none of the joys of motherhood. In these hours she must have repented of the evil passions and dreadful crime which had brought her to this misery. No bells rang out in rejoicing for the birth of her little one. Her bedside was not surrounded by those great ladies who would have come to share her joy if she were still at Court as the daughter of the Howards and the wife of the King's Favourite. Though she called the child Anne, in hope perhaps of getting the Queen's pity, Anne of Denmark did not bring christening gifts, and the King would not stand as godfather at the font. She was alone with the babe, with only a few servants whose wages were unpaid, in a house hardly provided with firewood, from which, as soon as she was well, she would be taken to a Court of Justice to be tried for her crime.

<sup>1</sup> Domestic State Papers.

## CHAPTER XV

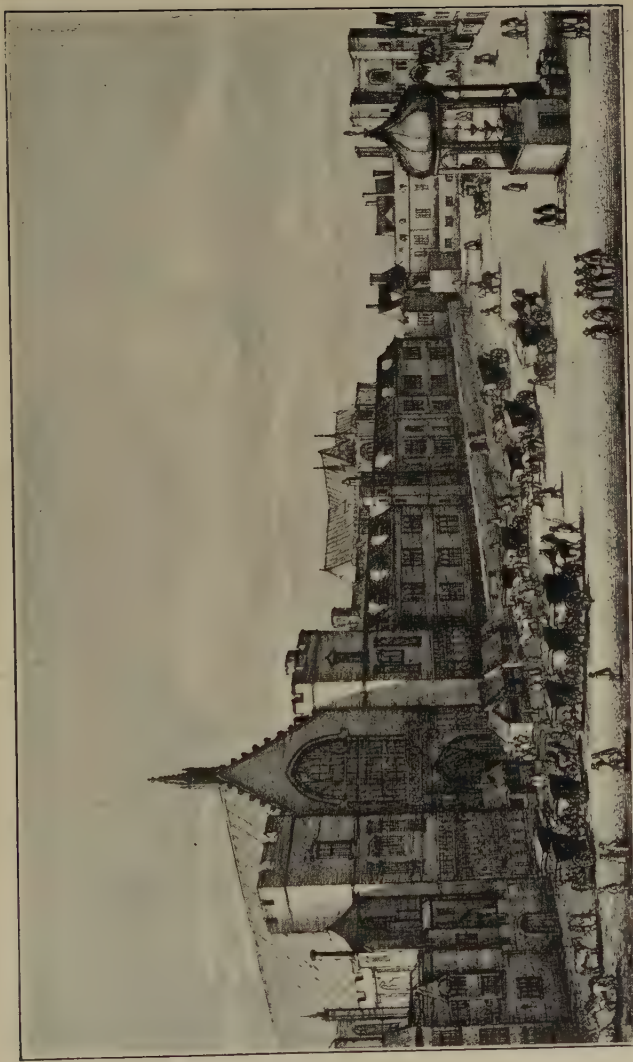
### MY LADY HOLDS UP HER HAND FOR BLOOD

ALL this while the man we have known as Robert Carr and as Earl of Somerset was closely guarded by Sir Oliver St. John in the Dean of Westminster's house, and was maintaining a proud and passionate attitude towards his accusers. He did not believe, or allow himself to believe, for one moment that the King would let him be sentenced to death, and he was even convinced that he had still so much influence over James that he could frighten or bully his old master into withdrawing the charges against him.

There was a curious parallel between his attitude of mind and that of the murdered man, Overbury. When Sir Thomas Overbury was in prison he believed that Somerset would not dare to abandon him because of their former friendship, and because of the great secrets they had shared. In the same way, Somerset buoyed himself up with the conviction that the King could not forget his old affection, and that he would not risk the betrayal of State secrets which had been confided to the Earl.

There was, however, one enormous difference which destroys this parallel. Sir Thomas Overbury was not under the suspicion of any grave crime, and the King was not a man to pervert the course of justice. Somerset was thwarted in his scheme to terrorise the King by the indomitable honesty of James, who was determined not to allow his natural affections, and his very sincere pity





From a print after Hollar.

WESTMINSTER HALL.



for his disgraced Favourite, to make him swerve a hair's-breadth from the straight path of justice and truth. Somerset's great desire was to get into direct communication with the King; but, very wisely, James declined to give him this opportunity. Sir Ralph Winwood, writing on November 26 to the Commissioners, on behalf of the King, says that "if the message which Somerset wishes to send to the King relates to the cause in hand, he is to tell it to them." Replying direct to the King on the same day, Lord Chancellor Ellesmere, and Coke, write that the Earl of Somerset's answer is that the message which he desired to send by Lords Knollys and Hay does *not* concern the criminal part of the business.

On February 8 the Lord Chief Justice wrote to the King saying that he had had an interview with the Earl, who denies all knowledge of some letters addressed to him in cipher. When told of his approaching trial he seemed insensible to his danger, and would not have a word of submission to His Majesty recorded. Sir Edward Coke adds, however, that he has just received a letter from Somerset, who now confesses that the presumptions against him are strong, and the Lord Chief Justice strongly advises the King not to yield to any of his petitions. "Some use may be made of certain passages in his discourse which comes near to confession."

On about the same date the Commissioners wrote to James, saying that they have been to Somerset and answered his requests about speaking to Sir Robert Carr.<sup>1</sup> In answer to his hope that he might not be tried, they told him that the course of justice required it, as he was indicted as accessory to the murder, and the proofs were pregnant against him. *They urged him to confession in hope of mercy.* Then they told him of the disposal of his offices, "for which he seemed not to grieve, but said he was sorry his wife was guilty of so foul a fact."<sup>2</sup>

<sup>1</sup> One of the Gentlemen of the Household who bore the same name as the Earl.

<sup>2</sup> Domestic State Papers, February 1616.

In the letter quoted from Sir Edward Coke to the King, the Lord Chief Justice went on to describe the industry with which he was still prosecuting inquiries as to the great poison conspiracy. Among other achievements, "he has found thirteen fortune-tellers in London, and bound them to appear." It was a great catch, and no doubt there were some very notable rogues among them, who were driving the same trade in charms and love-philtres upon which Dr. Forman, Dr. Franklin, Dr. Gresham, Dr. Savories, and others had thrived. But it does not seem to have resulted in any startling discovery, as we hear no more of these gentry.

It is a proof, however, that Coke had not got out of his head the dark suspicions which had been so artfully worked upon by Franklin. It was certainly a bad time for the witch-doctors and astrologers, and the resolute old judge seems to have dived down into all sorts of low haunts to haul up suspicious characters of this profession. Before he made that famous capture of "thirteen at one stroke," like the little tailor in "Grimm's Fairy Tales," he had summoned a woman living in Southwark, who said she was sent for to Durham House by a lady, who offered to introduce her to the Countess of Essex. Afterwards three Court ladies, whose names she did not know, called upon her, and one of them, "said to be the Countess," asked her nativity, which she cast for her, telling her that she was unfortunate in her marriage, and born to much trouble. All this has nothing whatever to do with the Overbury murder, but it fed the imagination of Sir Edward Coke, and helps us to realise the moral conditions and prevailing superstitions in the reign of James.

The indefatigable Lord Chief Justice nosed out some other suspicious facts which seemed to demand his vigilance. The Bishop of Bristol's sister, Mrs. Thornborough, appeared to have been very intimate with the Countess of Essex and her mother, so that she had private interviews with them even when they were in bed. She had bought some lands from the younger lady in Yorkshire;



and lately had taken biscuits to her in the Cockpit. All that seems very innocent to us, but to the Lord Chief Justice it smelt damnably of guilty deeds. Mrs. Thornborough was therefore summoned before him, and interrogated as to her preparations of certain waters and powders, and procuring and delivery of poisons, "by which she obtained a grant of lands near Knaresborough." She was also closely examined as to what she had heard of an attempt against the Prince, the Elector Palatine, or Lady Elizabeth.

There was another lady whose soul must be searched. This was Mrs. Horne, who had been in the service of Sir William Wade, the Lieutenant of the Tower, who had been removed to give place to Sir Gervase Elways. It is true that she had informed her former master that he would be discharged from his office, but it was surely very suspicious—in the mind of the Lord Chief Justice—that the Countess had given her the ring with which she—Lady Frances—had been married to the Earl of Essex. Mrs. Horne had given this to her sister, married to Delaval, an Italian, who now wore the ring. The Italians were notorious poisoners. Rings were used to hold poison. One could put two and two together.

But the plot had ramifications. Only God and the Lord Chief Justice could tell how far it spread. There was Sir William Monson, brother to that Master of the Armoury, who was "guilty of the guiltiest." And there was Sir Robert Cotton, a notorious Papist, and the servant of the Earl of Somerset. These two men were certainly among the leaders of the conspiracy which threatened "many particular houses" in the Court and City. It was suspected by the King himself that Sir Robert Cotton had been in treasonable correspondence with the Spanish Ambassador. As we know, he had been acting as Somerset's intermediary with Count Gondomar over the Spanish marriage treaty. A letter was sent to Sir John Digby in Madrid, asking him for information on the subject of the pensions, and especially as to Somerset's connection with Spain. In reply he said

that Sir William Monson could give more information on the subject than any other man. As to the Earl of Somerset, he believed that he had been careless in showing important State papers to persons who had allowed them to get abroad, but that he had no reason to think that the Earl had ever received a pension or reward from the Spanish Government. He suspected, however, that Lord Somerset had been carrying on an intrigue with Count Gondomar by means of Sir Robert Cotton, and if Cotton were arrested he could tell what he knew.<sup>1</sup>

The Lord Chief Justice caught both birds in one trap, and both Sir William Monson and Sir Robert Cotton were arrested and confined. To unimaginative minds it is difficult to see what possible connection there could be between a correspondence with Spain and "the poison plot." But Sir Edward Coke's imagination took sweeping flights. If the Great Mogul had died in his bed we suspect that this great detective would have found some link of evidence binding the fact to the mysterious gang of murderers in England. He therefore prepared queries for the examination of Sir William Monson as to "his connection with foreign princes," his "favouring English Jesuits and priests, etc., in Flanders," and on the same paper he notes down queries to be put to the Countess of Somerset as to Franklin's mission to the Prince Palatine, the death of Prince Henry, and the sickness of the Queen.<sup>2</sup>

By this time, however, James was getting very annoyed with the Lord Chief Justice for his imaginative essays. Believing at first that Coke had really discovered an organised conspiracy, he gradually realised that the Judge was making a fool of himself and of the English nation, and that he could not substantiate any of his wild assertions by a particle of proof. It was distressing to the King, and really dangerous to his own reputation, that the old rumours about Prince Henry's death should be revived. It was extremely probable that fanatical Puritans and others

<sup>1</sup> Spanish State Papers, quoted by Gardiner.

<sup>2</sup> Domestic State Papers, January 2, 1616.

would suspect James himself of having a hand in that supposed murder. Then again, this investigation into the correspondence with Spain would expose secrets of State in which the King himself would be seriously involved, for, undoubtedly, the Earl of Somerset had acted under his instructions.

When Digby arrived from Madrid he remonstrated with the King for these proceedings of Coke, which could only lead to disagreeable results by publishing to the world the secrets of the Spanish pensions, with which, as Digby reiterated, the Earl of Somerset had nothing whatever to do. Accordingly, when Digby was summoned to confer with Lord Chancellor Ellesmere and Sir Francis Bacon as to the questions to be put to Cotton, he refused to say a single word about the pensions, stating that he had the King's warrant to be silent.

Much to the chagrin of Sir Edward Coke, he was compelled to withdraw from these investigations, and Sir Robert Cotton was released. But the King also examined into the evidence against Sir Thomas Monson, accused of complicity in the murder of Overbury, and came to the conclusion that, in spite of the way in which he had been denounced in open court by the Lord Chief Justice, there was not one charge against him which was unanswerable. This opinion of the King reached Sir Edward Coke through a gentleman named John Lepson, Groom of the Privy Chamber, who wrote about it in a letter to Sir William Monson. Summoned before the Lord Chief Justice, he was committed to the King's Bench "as not fit to continue near His Majesty on account of his scandals." That was an easy way of revenge, but at the same time Coke must have been mortified by the King's contempt for his judicial sagacity.

Preparations were now made for the trial of the Earl and Countess of Somerset, and they were no longer made by Sir Edward Coke, but by Sir Francis Bacon, the Attorney-General. Most writers have made out that this was due to the disgrace of the Lord Chief Justice, knowing

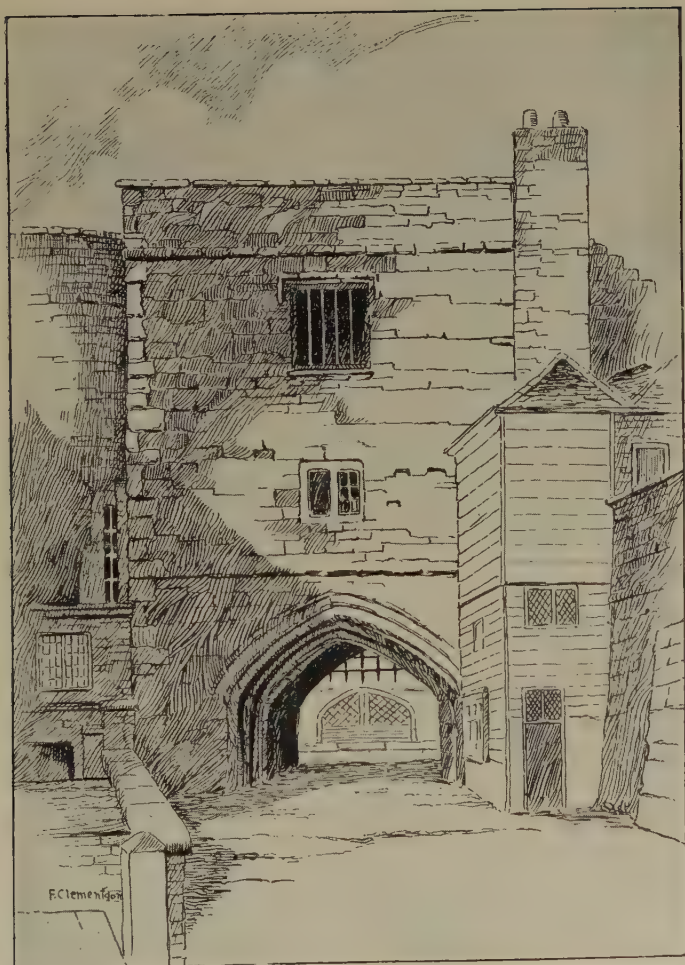
that he fell out of favour about this time for taking part in a struggle between the powers of the judicature and the King's prerogative. But although, without doubt, James was now annoyed at the wild exaggerations and mystery-making of the Lord Chief Justice, it was not a direct slight upon Coke when Francis Bacon took possession of the case on behalf of the Crown. The Earl and Countess of Somerset, belonging to the Peerage, were to be brought, not before the ordinary Bench at the Guildhall, but to the High Steward's Court, before a certain number of great lords summoned by the Lord High Steward, who was a peer specially appointed by the King for the occasion. Sir Edward Coke, therefore, would take his place among his fellow judges as an adviser on points of law, but would not have any other authority in the trial.

On March 27 the unhappy Countess of Somerset was removed from her house in the Blackfriars to the Tower, to which her husband had already been taken. She shed many bitter tears at being separated from her new-born child, and pleaded passionately that she should not be placed in the lodging where Sir Thomas Overbury had lain for so many months and had died in agony. She was terrified at the thought that the ghost of the murdered man would haunt her in the nights, coming back from the shadow-world to accuse her with dreadful face for having caused his untimely death.<sup>1</sup> This plea was not ignored by her captors. She was placed at first in the Lieutenant's room, and afterwards in the lodging which had just been vacated by Sir Walter Raleigh, who, through the influence of the Queen, young Sir George Villiers, and Ralph Winwood, the Spanish-hating Secretary, was now liberated for his last great adventure, when he again sailed upon the great seas in search of El Dorado, from which he was to come back to suffer the penalty of death for failure.

As the time of the trial approached, the Earl of Somerset himself made desperate efforts again to get into communication with the King. Finding that all his pleas for

<sup>1</sup> "Court and Times,"





From an original drawing by F. Clementson.

TOWER OF LONDON,  
Sir Walter Raleigh's lodgings were over the portcullis.



avoiding trial were in vain, he now threatened that he would, if brought into court, make revelations which would damage the King's reputation in the eyes of his people. A great deal has been made out of these threats by contemporary writers and by those who have followed their lead. At the time, no doubt, Coke's wild and wanton assertions of a greater mystery than was apparent led the public to suspect that James was really involved in some dreadful scandal which was known to Somerset. The horrible suggestion has been made even that the King was a party to the death of his own son, and that when Somerset was brought to bay he was tempted to betray his royal accomplice. It would be disgraceful for any modern historian to favour such a theory by a single word. There is no longer the slightest doubt about the natural death of the unfortunate young Prince, and James was the last man in the world to be guilty of the black crime of murder.

Nevertheless, he was frightened at the threats of his old Favourite. He knew this passionate man, and he was afraid that, in his angry despair, he might make wild charges against his King which would, at least, be extremely distressing, and even dangerous. There were many people willing to believe the worst of their Sovereign; and any grave charge made by one who had been practically the ruler of England, and most intimate in the counsels of the King, would never be wholly disproved to the satisfaction of a public ready to swallow any scandal and to exaggerate any evil suggestions. But apart from this, the King had not lost all his tenderness towards the man he had once loved above all others. It went to his heart that Somerset should be brought to his utter ruin, and he was anxious, naturally, to stretch his prerogative of mercy to its furthest point in the case of his former friend. James, for this reason, deeply desired Somerset to confess his guilt, if he were guilty, and of that, in spite of the vague and inconclusive evidence against him, the King seems to have been unhappily convinced. He knew that, according to the methods of justice in those days, Somerset could

hardly hope for an acquittal. Indeed, he may well have thought that an acquittal without the clearest proof of innocence, which did not seem possible, would be dangerous and deplorable.

Sir Edward Coke had gone too far. In open court he had again and again led the public to believe that the Earl of Somerset was guilty. If he were now acquitted the people would say that evidence had been hushed up, and that the King had saved the greatest among the guilty ones, while the smaller fry had suffered.

Such arguments may seem casuistical and wicked at the present day ; but one cannot understand the conditions of life in the reign of the first Stuart unless one is able to realise the strength and importance of this point of view.

In those days the examining judges were supposed to be satisfied in their own minds of the guilt of an accused person before bringing him to trial. The trial itself was not so much to sift evidence as to produce in open court the proofs upon which the Crown had based their prosecution, and to satisfy the public as to the truth and honesty of their proceedings. If the Crown failed to prove their case to the jury, it was not merely the acquittal of an innocent man. It was considered to be a blow to the prestige of the Crown, and they were blamed for having brought an innocent man to the bar. This point of view, which had Sir Francis Bacon as its exponent, seems to us now extraordinary and abominable. It is against all our modern ideals of justice. But we can only understand a former period of history by putting ourselves into possession of its contemporary ethics, and this way of regarding a State trial was fixed and undisputed in the public mind in the reign of the first James.

Knowing that, we may more clearly understand the King's anxiety for a confession from Somerset. He could not expect or hope for his acquittal, because that would be an accusation against his own honour. The judges were satisfied that the proofs "were pregnant" against the Earl.



But if he would confess before trial, it would be, according to the canons of the time, a just cause for royal mercy.

This explanation is necessary to clear up many points in the King's conduct which would otherwise be mysterious. For some time Somerset failed in his purpose to communicate directly with the King ; but he was able to do so indirectly by means of Sir George More, who had succeeded Sir John Keys, appointed provisionally as Lieutenant of the Tower ; and it was this gentleman who told James privately of the threats uttered by his prisoner. The King answered his message by the following letter, written shortly before the Earl's trial :

"GOOD SIR GEORGE,—

"I am extremely sorry that your unfortunate prisoner turns all the great care I have of him, not only against himself, but against me also, as far as he can. I cannot blame you that ye cannot conjecture what this may be—for God knows it is only a trick of his idle brain, hoping thereby to shift his trial ; *but it is easy to be seen that he would threaten me with laying an aspersion upon me of being in some sort accessory to his crime.* I can do [no] more (since God so abstracts His grace from him) than repeat the substance of that letter which the Lord Hay sent you yesternight, which is this : if he would write or send me any message concerning this poisoning ; it need not be private, if it be of any other business. That which I cannot now with honour receive privately, I may do it after his trial or confession proceed. I cannot hear a private message from him without laying an aspersion upon myself of being an accessory to his crime ; and I pray you to urge him, by reason that I refuse him no favour which I can grant him without taking upon me the suspicion of being guilty of that crime whereof he is accused ; and so farewell.

"JAMES R."<sup>1</sup>

<sup>1</sup> "Letters of the Kings of England." Halliwell.

The King's anxiety to induce the Earl to make a confession before his trial for the double purpose of convincing the public of his guilt and of providing the King with an excuse for pardon, led him to break his resolve not to communicate directly with the prisoner. From another letter to Sir George More we learn that he sent a private messenger to him.

"GOOD SIR GEORGE,—

"As the only confidence I hold in your honesty made, without the knowledge of any, put you in that place of trust you now possess, so must I now use your trust and secrecy in a thing greatly concerning my honour and service. Ye know Somerset's trial is at hand, and ye know also what fair means I have used to move him, by confessing the truth, to honour God and me, and leave some place for my mercy to work upon. I have now, at last, sent the bearer hereof, an honest gentleman, and who once followed him, with such directions unto him, as if there were a spark of grace left in him, I hope they shall work a good effect. My only desire is that ye would make his convoy unto him in such secrecy as no one living may know it, and that after his speaking with him in private, he may be returned back again in secrecy. So reposing myself upon your faithful and secret handling of this business, I bid you heartily farewell.

"JAMES R."<sup>1</sup>

The King was running great risk in thus sending one of his gentlemen to his old Favourite; and it must have been a dramatic scene when the Lieutenant of the Tower introduced that messenger to Somerset's lodging, where the accused man was fretting against fate, and brooding moodily over that day when he should stand before his peers defending his life. But he was still stubborn, and would not accept the King's promise of pardon if he would confess. He

<sup>1</sup> Indorsed by Sir George More, "9th of May, about one of the clock in the afternoon, 1616." "Letters of the English Kings."

stood by his innocence, and sent back proud messages to the King whom he had once ruled.

James was now racked with anxiety, and made further efforts to induce the Earl to confess. Though we may understand his feelings, we can hardly forgive his attempt to bribe a man into confession. If Somerset had been weak and dishonest he might have been tempted beyond his strength to purchase liberty by avowing a crime which he had not committed.

Another letter went from James to the Lieutenant, which reveals his increasing uneasiness and excitement :

“GOOD SIR GEORGE,—

“Although I fear that the last message I sent to your unfortunate prisoner shall not take the effect I wish it should, yet I cannot leave off to use all means possible to move him to do that which is both most honourable for me and his own rest. Ye shall therefore give him assurance in my name, that if he will yet before his trial confess clearly unto the Commissioners his guiltiness [of the] fact I will not only perform what I promised by the last messenger, both towards him and his wife, but I will enlarge it, according to the phrase of the civil law, *quod gratiæ sunt ampliandæ*. I mean not that he shall confess if he be innocent, but ye know how evil likely<sup>1</sup> that is ; and of yourself ye may dispute with him what should mean his confidence now to endure a trial, when as he remembers that the last winter he confessed to the Chief Justice that his cause was so evil likely, and he knew no jury would acquit him. Assure him that I protest upon my honour, my end in this is for his and his wife's good.

“Ye will do well likewise, of yourself, to cast out unto him that ye fear his wife shall plead weakly for his innocence, and that ye find the Commissioners have, ye know not how, some secret assurance, that in the end she will confess of him ; but this must only be as from yourself, and therefore ye must not let him know that I have written unto you, but

<sup>1</sup> Unlikely.

only that I sent you private word to deliver him this message. Let none living know of this, and if it take good effect, move him to send in haste for the Commissioners and give them satisfaction ; but if he remains obstinate I desire not that ye should trouble me with an answer, if it is no end ; and no news is better than evil news. And so farewell, and God bless your labours.

“ JAMES R.<sup>1</sup>

“ *The 13th May, 1616.*”

The King's suggestion in the letter that the Countess of Somerset would confess that her husband had shared her guilt was not true, because, although the lady in her weak state, and mentally tormented by her examiners, seemed likely to admit almost everything that was suggested to her as evidence against herself, she stated emphatically that the Earl did not know of the plot to poison Overbury.<sup>2</sup>

Probably, however, James was not cruelly and wilfully untruthful in making such a statement to terrify Somerset, but had been led to believe it by the Commissioners. His hope that the Earl would at last yield to persuasion was disappointed, for, far from confessing, Somerset still protested his innocence, and vowed that he would never be brought to trial.

Perhaps to stir the compassion of the King, perhaps because his passionate heart turned sick with rage and humiliation at the thought of facing in disgrace those peers whom formerly he had patronised with lofty arrogance, he now made out that he was very ill and that he could not be taken into court. Indeed, he vowed that he would have to be dragged if he went at all.

James immediately sent Lord Hay and Sir Robert Carr to the prisoner to find out his condition, and at the same time to hear any private message which the unhappy man might desire to send the King. Both these visitors were his friends. To James, Lord Hay, he had owed his first

<sup>1</sup> “ Letters of the Kings.”

<sup>2</sup> Bacon to Villiers, May 10, 1616.



introduction at Court, and though there had been a temporary estrangement between them over the French marriage proposals, the elder Scot wished well now to the younger man, and pitied him in his disgrace. The King hoped that Somerset would unburden his heart to them at the eleventh hour, or, if he persisted in his passionate threats, these two friends might persuade him not to risk losing the King's clemency by wild words at the trial. As soon as he had given his instructions to the two gentlemen he wrote another letter to the Lieutenant of the Tower, revealing once more the extreme uneasiness of his mind regarding the Earl's behaviour on the eve of the trial.

"GOOD SIR GEORGE,

"For answer to your strange news I am first to tell you, that I expect the Lord Hay and Sir Robert Carr have been with you before this time, which if they have not yet been, do ye send for them in haste, that they may first hear him before ye say anything unto him; and when that is done, if he shall refuse to go ye must do your office, except he be either apparently sick, or distracted of his wits; in any of which cases you may acquaint the Chancellor with it, that he may adjourn the day till Monday next, between this and which time, if his sickness or madness be counterfeited, it will manifestly appear. In the meantime, I doubt not but ye have acquainted the Chancellor with this strange fit of his, and if, upon these occasions, ye bring him a little later than the hour appointed, the Chancellor may in the meantime protract the time the best he may; whom I pray you to acquaint likewise with this my answer, as well as with the accident, if he has said anything of moment to the Lord Hay. I expect to hear of it with all speed; if otherwise, let me not be troubled with it till the trial be past.

"Farewell,

"Yours, R."

An elaborate theory has been built upon these letters that James was afraid of Somerset making some dreadful disclosure. But there is no need to indulge in wild imaginings to explain the King's psychology as exhibited in this correspondence. Undoubtedly, as we have said, he was very nervous lest the Earl in his passion should utter dark phrases in Court which would be construed into imaginary accusations against the King by the English people. There had been secrets between them, of course, for Somerset had held in his hands all the threads of diplomacy. But that there was the secret of any black crime between them may be dismissed without further thought.

In the meanwhile Sir Francis Bacon, the Attorney-General, who had received from Sir Edward Coke all the documents, exhibits, and examinations relating to the Earl and Countess of Somerset, had been closely engaged in examining the case for the prosecution. In this he had the assistance of the King, which was not without value, for James had remarkable sagacity in dealing with evidence of this character. He quickly discovered, for instance, one flaw in the chain of evidence provided by the Lord Chief Justice. It related to the letter sent to the Lieutenant of the Tower by the Countess of Somerset.

Cautioning the Lieutenant as to the disposal of the provisions sent to the Tower by her, she wrote: "If he should send this tart and jelly and wine to your wife then you must take the tart from her, and the jelly, but the wine she may drink it if she will, for in that there are no letters, but in the tart and jelly I know there is." She added, "Do this at night, and all will be right."

Against the word "he" in this sentence Coke noted in the margin that "'He' is interpreted Rochester, for Rochester in truth sent it." But there was no internal evidence why it should mean Rochester. On the contrary, it was much more likely that the pronoun referred to Overbury. Indeed, if accepted as meaning Rochester it was really in his favour as proving that he was not aware of his wife's attempt to poison the prisoner; for if he knew

that there was poison in the tart and jelly he would certainly not have sent them to the Lieutenant's wife. That point of view does not seem to have struck Sir Edward Coke at all, or he would not have been so anxious to identify the word 'he' with Rochester, believing, indeed, that it told dead against the Earl.<sup>1</sup> Bacon had intended to use it against the accused man, especially as the Countess confessed, or was alleged to have confessed (for we can never be very sure of these confessions) that she had referred to her husband, "who used to send many tarts and jellies to him." But when the King examined his evidence the interpretation of this passage struck him as so extremely improbable that he referred it back to the Commissioners, who came to the same conclusion.

Bacon then prepared a series of notes of the various points which might be proved against the Earl. These notes were carefully studied by James, and the remarks which he made on the margin of them are an admirable testimony to his shrewdness and sagacity. He was determined that he would not allow any of Coke's wild imaginings to be repeated in the trial of Somerset.

Bacon, for example, proposed to introduce an account of an anonymous letter found in the fields after Prince Henry's death, and brought to the Earl of Somerset, which contained these words: "The first branch was cut from the tree, and that the writer should, before long, send happier and joyfuller news."

This, said Bacon, with quiet sarcasm, "is a matter I would not use, but that my Lord Coke, who hath filled this part with many frivolous things, would think all lost except we hear something of this kind. But this it is to come to the leavings of a business."

To this James added the following note:

"This evidence cannot be given in without making me

<sup>1</sup> Mr. Spedding, who quotes this letter in the "Life and Letters of Bacon," while acknowledging that Overbury was meant, thinks that if the other interpretation were possible it would be a strong piece of evidence against the Earl. It should have precisely the opposite effect,

his accuser, and that upon a very slight ground. As for the subsequent evidences, they are all so little evident as *una litura* may serve thaim all."

Among these "subsequent evidences" was the statement that Mrs. Turner showed Franklin the man who, she said, had poisoned the Prince, who was, said Franklin, "a physician with a red beard." To this the King said: "*Nothing to Somerset, and declared by Franklin after condemnation.*"

To the statement that "a little picture of a young man in white wax was left by Mrs. Turner with Forman, which my Lord Coke doubted was the Prince," James said "*Nothing to Somerset, and a loose conjecture.*"

That the Viceroy of the Indies at Goa reported to an English factor that Prince Henry came to an untimely death by a mistress of his, the King dismissed with the words: "*No better than a gazetteer, or passage of Gallo Belgicus.*"

That "the Countess laboured Forman and Gresham, the conjurers, to inforce the Queen by witchcraft to favour the Countess," is, said the King, "*Nothing to Somerset.*"

So also James wrote against the ludicrous statement that "Northampton said the Prince, if ever he came to reign, would prove a tyrant," and that "Franklin was moved by the Countess to go to the Palsgrave, and told that he should be furnished with money."

James expressly directed his Attorney-General to keep to the main facts of the case. "I have commanded you not to expatiate, nor digress upon any other points that may not serve clear for protection or inducement of that point whereof he is accused."

Sir Francis Bacon was not a man to need any inducement to keep from vain digressions. He had an essentially orderly mind, and he had already mapped out into heads the various stages of evidence which would be produced against the Earl. He was glad to be relieved of all those worthless suspicions of the Lord Chief Justice, which he





From an engraving by J. Cochran, after a painting by van Somer.

FRANCIS BACON, VISCOUNT ST. ALBAN.

p. 360.

a number of scaffolds were placed round about for the seating of the great crowds of nobles and gentry who would be present. Public excitement was at fever point, and on Tuesday, May 18, the day before the trial was fixed, the vicinity of Westminster Hall was thronged with great folk bartering for places. Great numbers of gentry had come up from the country for the purpose of watching this great drama, and many nobles stayed in town away from the Court to be present. The bidding for seats ran up to high figures. Four or five pieces of gold was an ordinary price, and John Chamberlain tells us that he knew a lawyer who agreed to give ten pounds for himself and his wife for the two days, while fifty pounds were given for a corner "that could hardly contain a dozen."<sup>1</sup> Then, to the huge disappointment of the excited crowds, there came at noon on Tuesday an order to postpone the trial for a week. There were great murmurings at this. The public had been waiting for months to see the Earl and Countess brought to their doom. They could not understand all these delays. It was very suspicious. Some believed that, after all, the great fishes would escape through the net. Yet others heard that the reason for this final postponement was that when the lady was told on the previous Saturday to prepare for her trial on the Wednesday she had been taken violently ill either because of her extreme terrors or because she had taken a dram. Others again said that "her lord begins to relent, and makes show *to reveal secrets of great importance*, desiring to have the Duke of Lennox sent to him."<sup>1</sup>

The real reason, as we know, was the King's anxiety to give the Earl a final chance of confession, and to overcome his resistance against standing trial. In the meanwhile all the peers remained in town, though the Lord Treasurer Suffolk and his lady went away on Monday to Audley End, there to await the dread news of their daughter's fate.

At last, on May 24, the day came when Frances Howard,

<sup>1</sup> "Court and Times,"

Countess of Somerset, was taken from the Tower to stand before the judgment bar in Westminster Hall.

John Chamberlain and a crowd of other gentlemen took their seats at six o'clock in the morning, and hours before the trial began, at ten o'clock, the great hall was crowded almost to suffocation, the weather being sultry.

When the bells of Westminster chimed the hour of ten the Lord Chancellor, who for the time was High Steward of England, entered the hall, preceded by six sergeants-at-arms carrying their maces. Sir George Coppin carried his patent, Sir Richard Coningsby his white staff, and Mr. Manwaring the Great Seal. The Lord High Steward himself sat at the upper end of the court under a cloth of estate. On both sides of him were the peers in their robes, and below them the scarlet judges. On one side was Mr. Finch, the Recorder, in black, in the midst of the court were the Clerk of the Crown and his deputy, with the Sergeant Crier standing by. The Lieutenant of the Tower was a little way from the bar, where the prisoner had not yet taken her place. All being silent in that great assembly, Sir George Coppin rose and delivered upon his knees the patent of his office to the Lord High Steward, who took it, kissed it, and then gave it to Mr. Fenshaw, who took it kneeling. Then the Sergeant Crier shouting, "Oyez! . . . Oyez!" made a proclamation in the Lord High Steward's name to keep silence while His Majesty's Commission to the Court and the indictments and certificates were read. After these preliminaries there was another "Oyez!" from the Sergeant Crier to call the lords summoned by the Lord High Steward to answer to their names. This they did accordingly, and as every one was named he put off his hat, and stood up till the next was named. Then one more cry of Oyez resounded through the court, and the Lieutenant of the Tower was commanded to bring the prisoner to the bar.

One can imagine the deep-drawn breath of that great assembly and the sudden rustle of cloaks and gowns as they strained forward to catch a glimpse of the accused lady.

She was led in by Sir George More, the Lieutenant of the Tower. She was a slim figure, shrinking and timid in the gaze of that great crowd, who stared with tense excitement at that face of beauty which had bewitched many men, and the Earl of Somerset. She was in black tammil, with a cypress chaperon, and a cobweb lawn of ruffs and cuffs, a picture in black and white, which would have gone to the heart of the great painter Vandyck. As she took her stand at the bar she made three low curtsies to the Lord High Steward and to the peers. She won immediate pity by her "sober demeanour," though some colder critics thought "it was more confident than was fit for a lady in such distress."<sup>1</sup> Yet she shed tears at times.

Among the crowd who stared at her was a young man with a stern face and gloomy eyes. It was Robert Devereux, Earl of Essex, who had once been her husband, and who stood immediately in front of her, so that her own eyes could hardly avoid him. This tall, melancholy young man seemed to stand there as her silent accuser.

The Lord High Steward now addressed the Court :

"My Lords, the reason why you be called hither this day is to sit as peers of Frances, Countess of Somerset."

"Frances, Countess of Somerset," said the Clerk of the Crown, "hold up thy hand."

She held up that white hand which had caressed the flaxen hair of Robert Carr in the days of their first guiltiness ; held it up so long that the Lieutenant of the Tower whispered to her to put it down.

Then Mr. Fenshaw, the Clerk, read the indictment, containing Weston's account of the poisoning of Sir Thomas Overbury and of her abetting him. And the Countess of Somerset, while the indictment was being read, stood looking very pale, trembling, and shedding tears. When Weston's name was first mentioned she seemed deeply confused, and putting her fan before her face, kept it half-covered till the indictment had been read.<sup>2</sup>

<sup>1</sup> Chamberlain, "Court and Times."

<sup>2</sup> State Trials.



"Frances, Countess of Somerset," cried Mr. Fenshaw, the Clerk, "what sayest thou? Art thou guilty of this felony and murder, or not guilty?"

For a moment the great gathering in Westminster Hall listened breathlessly, and there was an absolute silence.

Then the Lady Frances, making an obeisance to the Lord High Steward, answered *Guilty*, but "with a low voice and wonderful fearful."

Sir Francis Bacon, the Attorney-General, now rose.

"May it please your Grace, my Lord High Steward of England," he said, "I am glad to hear this lady's so free acknowledgment, for confession is noble. Those that have been formerly indicted, at their arraignment persisted in denial, as Weston, Elways, Franklin, and Turner; but you see this lady's humility and repentance by so pleading, and certainly she cannot but be a spectacle of awe and commiseration, if you either respect her sex—a woman, or her parentage—honourable. But this day, and to-morrow, is to crown justice: the mercy-seat is the inner part of the temple, the throne publick, and therefore I shall now only pray a record of the confession and judgment. But since the peers are met, for honour's sake it is good to declare the King's justice."

At some length, and very clearly and fairly, Sir Francis Bacon narrated the course of the various examinations and trials since the first discovery of the crime, until "Weston was solicited to stand mute; but at last this dumb devil was cast out, and Elways, Turner, and Franklin met their fate."

"Now," he continued, "when this lady comes to her part she meets justice in the way by confession, which is the corner-stone either of mercy or judgment; yet it is said that mercy and truth be met together. Truth you have in her confession, and that may be a degree to mercy, which we must leave to him in whose power it resides; in the meantime this day must be reserved for judgment."

The King's instructions were then read, in which James desired the verity to be declared, at the end of which Lord

Chief Justice Coke raised his voice for the first time in this trial. What he said was characteristic of him, and in defence of his own work.

"Whatsoever whisperings there be abroad upon the death of Weston," he said, "they all (some before the hour of their death) confessed the fact and died penitent. And, if need should require, I have brought their confessor along—namely, Dr. Whiting."

The peers did not take advantage of this offer, and the Lord High Steward addressed them :

"My Lords, you have seen and heard these directions under the King's hand ; give the glory to God and honour to the King."

"May it please your Grace," said Sir Francis Bacon, "whereas Frances, Countess of Somerset, hath been indicted as accessory before the fact of the wilful poisoning and murder of Sir Thomas Overbury ; upon her Indictment she hath been arraigned ; upon her Arraignment pleaded Guilty : I desire that her Confession may be recorded and judgment given against the Prisoner."

"Frances, Countess of Somerset," said Fenshaw, the Clerk of the Crown, "hold up thy hand."

Again the Countess, now very white, held up her hand, and all eyes were fixed upon her.

"Whereas thou hast been indicted, arraigned, and pleaded Guilty," said Fenshaw, "as accessory before the fact of the wilful poisoning and murder of Sir Thomas Overbury, what canst thou now say for thyself why Judgment of Death should not be pronounced against thee ?"

All ears were strained to catch the lady's words :

"I can much aggravate, but nothing extenuate my fault. . . . I desire mercy, . . . and that the Lords will intercede for me to the King."

"This," we are told, "she spake humbly, fearfully, and so low the Lord Steward could not hear it, but Mr. Attorney related it."

"The lady is so touched with remorse and sense of her fault," said Sir Francis Bacon, "that grief surprises her

from confessing herself. But that which she hath confusedly said is to this effect: That she cannot excuse herself, but desires mercy."

Then Sir Richard Coningsby, who sat before the Lord High Steward, rose, and upon his knee delivered the white staff to him.

The old Chancellor, very frail and weak, bent forward and spoke solemn words:

"Frances, Countess of Somerset, whereas thou hast been indicted, arraigned, and pleaded Guilty, and that thou hast nothing to say for thyself, it is now my part to pronounce Judgment: only thus much before, since my lords have heard with what humility and grief you have confessed the fact, I do not doubt they will signify so much to the King, and mediate for his grace towards you; but in the meantime, according to the law, the sentence must be this: That thou shalt be carried from hence to the Tower of London, and from thence to the place of execution, where you are to be hanged by the neck till you be dead, . . . and the Lord have mercy upon your soul."<sup>1</sup>

The Lieutenant of the Tower beckoned to her, and led her away from the great hall of Westminster, followed by the eyes of the great crowd of nobles and gentlemen, and by the grave, grey eyes of that young man, the Earl of Essex. She went back to the gloomy Tower, while the crowd surged out into the bright sunshine of May in London, with imaginations excited by the tragic drama they had watched, and not without pity for that young and beautiful woman who had been led by passion and frailty to this dreadful doom.

But the prophets said the lady would not die.

<sup>1</sup> State Trials.

## CHAPTER XVI

### THE EARL STRUGGLES FOR HIS LIFE

THE next day had been appointed for the trial of the Earl, whom the whole nation had already condemned as the chief author of the crime. But to the very last Somerset protested passionately that he would not be brought to trial. It has been thought that this was a sign of his guilt, and that if he had been innocent he would not have shirked his trial. But we may understand the man's state of mind better than that. Somerset, with all his failings, was no coward; but he knew that he could expect no impartial weighing of evidence from those peers who were now to be his judges. Not one among them had been his friend. In the time of his power they had all hated him, and now was the hour of their revenge.

Sir Anthony Weldon tells a remarkable story of a secret drama that was enacted on the day before the trial, when the Countess of Somerset was standing at the bar.

When, he says, the Lieutenant went to the Earl and told him that he must prepare to go to the court next day, he gave an absolute refusal, saying they would first have to carry him in his bed. He protested that the King had assured him that he should not be brought to trial—we know from the King's letters to Sir George More that this was untrue—and he also affirmed that the King would not *dare* bring him to trial.

These words, says Sir Anthony, made More "quiver and shake," and, not knowing what to do, was at his wits' end.



"Yet away goes More to Greenwich, as late as it was, being 12 at night, bounceth at the back stairs as if mad, to whom comes Jo. Loveston, one of the grooms, out of his bed, and inquires the reason of that distemper at so late a season.

"More tells him he must speak with the King.

"Loveston replies: 'He is quiet'; which in the Scottish dialect is 'fast asleep.'

"More says, 'You must awake him.'

"More was then called in (the chamber left to the King and More), he tells the King these passages, and desires to be directed by the King, for he was gone beyond his own reason to hear such bold and undutiful expressions from a faulty subject against a just Sovereign.

"The King falls into a passion of tears.

"'On my soul, More, I wot not what to do. Thou art a wise man. Help me in this great struggle, and thou shalt find thou dost it for a grateful master,' with other sad expressions.

"More leaves the King in that passion, but assures him he will prove the utmost of his wit to serve His Majesty, and was really rewarded with a suit worth to him £1,500 (although Annandale, his great friend, did cheat him of one half, so there was falsehood in friendship). Sir George More returns to Somerset about three o'clock next morning of that day he was to come to trial, enters Somerset's chamber, tells him he had been with the King, found him a most affectionate master towards him, and (said he) 'To satisfy justice you must appear, although return instantly again without any further proceeding, only you shall know your enemies and their malice, though they shall have no power over you.'

"With this trick of wit he allayed his fury and got him quietly, about eight in the morning, to the Hall, yet feared his former bold language might revert again, and being brought by this trick into the toil might have more enraged him to fly out into some discovery, that he had two servants placed on each side of him with a cloak on their arms,

giving them a peremptory order if that Somerset did any way fly out on the King *they should instantly hoodwink him with that cloak, take him violently from the bar, and carry him away.* . . . But the Earl, finding himself overreached, recollected a better temper and went on calmly in his trial."<sup>1</sup>

Sir Anthony Weldon vows that he had this narration *verbatim* from Sir George More himself in Wanstead Park. Probably, however, the story was highly coloured by More in the first place, and by Weldon afterwards. Yet there was some truth in it—even in that remarkable tale of the two men with cloaks. It is partly corroborated by a "particular remembrance for His Majesty," written down by Sir Francis Bacon and sent to the King, with those notes on the evidence which have already been quoted.

"It were good," said the Attorney-General, "that after he is come into the Hall, *so that he may perceive he must go to trial*, and shall be retired into the place appointed till the Court call for him, then the Lieutenant shall tell him roundly that if in his speeches he shall tax the King that the justice of England is that he shall be taken away, and his evidence shall go on without him; and then it shall not be in the King's will to save his life, the people will be so set on fire."

When, after all these passionate outbursts, the Earl of Somerset was at last brought to trial on Saturday, May 25, the day following his wife's condemnation, Westminster Hall was again crowded by a great throng of courtiers. All the men who had fawned upon the prisoner during his time of greatness, all those who had schemed and plotted for his downfall were there to watch him struggling for liberty and life in the meshes of all that evidence which had been prepared against him during many months of labour by the most skilful lawyers in the world.

The Lord High Steward again took his seat under the canopy of state, and then the Court was constituted in the same way as on the preceding day, with the peers and

<sup>1</sup> Weldon's "Court and Character of King James."

judges and serjeants and attorneys seated below him. After the preliminary ceremonies the Serjeant-crier shouted his "Oyez!" for the Lieutenant of the Tower to bring the prisoner to the bar.

It was ten o'clock in the morning when my Lord of Somerset entered the Hall. He was apparelled in "a plain black sattin suit, laid with two sattin laces in a seam, a gown of ancient velvet lined with unshorn : all the sleeves laid with sattin lace, and a pair of gloves with sattin tops." He wore the Order of the George round his neck, and his hair was curled and his beard long. His face was very pale, and his eyes were sunk in his head. As he took his place at the bar he bowed three times to the Lord High Steward and to the peers, and he seemed very cool and courageous and self-possessed.

Then Mr. Fenshaw, the Clerk, said :

"Robert, Earl of Somerset, hold up thy hand."

Curiously, like his wife the day before, he held it up so long that the Lieutenant had to tell him to put it down again. While the indictment was being read he whispered three or four times to Sir George More.

"Robert, Earl of Somerset," said Fenshaw, "what sayest thou? Art thou Guilty of this felony and murder whereof thou standest indicted, or Not Guilty?"

Somerset bowed to the Lord High Steward.

"Not Guilty," he said.

"How wilt thou be tried?" said Fenshaw.

"By God and the country," said Somerset.

Somebody whispered to him, and he recalled himself.

"By God and my peers."

"Oyez!" shouted the Serjeant-crier. "All you that be to give in evidence against Robert, Earl of Somerset, who stands now at the bar upon his deliverance, make your appearance, and you shall be heard what you have to say against him."

Lord Chancellor Ellesmere, and High Steward of England, bent forward under the scarlet canopy.

"Robert, Earl of Somerset," he said, "you have been

arraigned and pleaded Not Guilty. Now I must tell you whatever you have to say in your own defence, say it boldly, without fear. And, though it be not the ordinary custom, you shall have pen and ink to help your memory. But remember that God is the God of Truth. A fault defended is a double crime. Hide not the verity or affirm an untruth ; for to deny that which is true increases the offence. Take heed lest your wilfulness cause the gates of mercy to be shut upon you. . . . Now for you, my Lords the Peers. You are to give diligent attention to that which shall be said ; and you must not rest alone upon one piece of evidence, but ground your judgment upon the whole. . . . This, moreover, I would have you remember : That though you be not sworn as common juries, upon a book, yet that you are tied in as great a bond—your own honour, and fidelity, and allegiance to the King. . . . And thus I leave the whole proceedings to your censures. And for you that be of the King's Counsel free your discourse from all partiality, but let truth prevail, and endeavour to make it appear."

After a pause Serjeant Montague rose.

"My Lord High Steward of England," he said, "and you my Lords, this cannot but be a heavy spectacle unto you to see that man that not long since, in grand place, with a white staff, went before the King, now at this bar hold up his hand for blood. But this is the change of fortune, nay, I might better say the hand of God and work of justice, which is the King's honour.

"But now to the fact.—Robert, Earl of Somerset, stands indicted as accessory before the fact of the wilful murder and poisoning of Sir Thomas Overbury, done by Weston, but procured by him. This, my Lord,"—turning to the prisoner—"is your charge."

Then he repeated the indictment.

"Weston at four several times gave Overbury four several poisons. The first, May 9, 1613, that was rosalgar, carrying the poison in one hand and the broth in the other. The second was June following, and that was arsenick.



The third was July 10 following, and that was mercury sublimate in tarts. The fourth was September 14 following, and that was mercury sublimate in a clyster, given by Weston and an apothecary yet unknown, and that killed him. Of these four several poisons ministered by Weston, and procured by you, the 15th of September, 1615, Overbury died; and the author is ever worse than the actor. . . . It was a stronger hand than Weston's that wrought this.

"The proof, Mr. Attorney, will follow; and I will now conclude with two desires to the Peers. First, that they will not expect *visible proofs* in the work of darkness. The second is, that whereas in an indictment there be many things *laid only for form*, you are not to look that the proof should follow that, but only that which is substantial; and the substance must be this: *Whether my Lord of Somerset procured or caused the poisoning of Sir Thomas Overbury or not?*"

"That, indeed, my lords, is that which you are to look after," said the Lord High Steward—"whether the lord of Somerset was the cause of his poisoning or not."

The Lord Chief Justice now intervened to emphasise the point, which was a practical admission that the indictment as it stood could not be proved by evidence, but that the proofs against the Earl were presumptive only.

"The law is clear on this point," he said, "that the proof must follow in substance, not in form."

The other judges rose to affirm this.

Then Sir Francis Bacon, Attorney-General, rose to make his opening speech for the Crown.

"May it please your Grace, my Lord High Steward of England, and you, my Lords the Peers, you have here before you Robert, Earl of Somerset, to be tried for his life concerning the procuring and consenting to the poisoning of Sir Thomas Overbury, then the King's prisoner in the Tower of London, as an accessory before the fact.

"I know your honours cannot behold this nobleman but you must remember the great favours which the King hath conferred on him, and must be sensible that he is yet a

member of your body, and a peer, as you are ; so that you cannot cut him off from your body but with grief ; and therefore you will expect from us that give in the King's evidence sound and sufficient matter of proof to satisfy your honours' conscience.

"As for the manner of the evidence, the King, our master, who, amongst other virtues, excelleth in that virtue of the imperial throne which is justice, hath given us command that we *shall not expatiate or make invectives*, but materially pursue the evidence, as it conduceth to the point in question. A matter that, though we are glad of so good a warrant, yet we should have done of ourselves ; for far be it from us, by any strains of wit or art, to seek to play for prizes, or to blazon our names in blood, or to carry the day otherwise than upon sure grounds. We shall carry the lanthorn of justice (which is evidence) before your eyes upright, and so be able to save it from being put out with any ground of evasion or vain defence, not doubting at all but that the evidence itself will carry that force, as it shall need no advantage or aggravation."

In spite of his promise, Sir Francis Bacon did not deny himself altogether from "strains of wit or art," and he now proceeded to give an oration on the heinous crime of poisoning which must have taken up an hour of his time. Then he spoke of the difficulty of proving such a crime, which of all crimes is most secret—"so secret that if in all cases of impoisonment you should require testimony you should as good proclaim impunity." He explained the law as to accessories before the fact. "It is not the buying, nor the making of the poison, nor the preparing, nor confecting, nor commixing of it, nor the giving or sending, or laying of the poison, that are the only acts that do amount unto the abetment. . . . My Lords, he is not the hunter alone that lets slip the dog upon the deer, but he that lodgeth him, or hunts him out, or sets a train or a trap for him, that he cannot escape, or the like."

Bacon then launched into a narrative of the causes which led to the motive of Overbury's murder on the part of



From an engraving after a drawing by Hollar.

#### YORK HOUSE.

The residence of Francis Bacon, Lord Verulam, and afterwards of George Villiers, Duke of Buckingham.





Somerset. He began with the friendship between these two men, so close that the Earl handed over all his despatches to his friend, "who made table-talk of them."

"I will undertake the time was," said Bacon, "when Overbury knew more of the secrets of State than the Council table did; nay, they were grown to such inwardness as they made a play of all the world beside themselves, so as they had ciphers and jargons for the King and Queen, and great men of the realm. . . . But, my lords, as it is a principle in nature that the best things are, *in their corruption*, the worst, and the sweetest wine maketh the sourest vinegar, so it fell out with them that this excess, as I may say, of friendship, ended in mortal hatred on my Lord of Somerset's part."

The cause of that hatred was Overbury's opposition to the love between Somerset and 'that unfortunate lady' the Countess of Essex—and here Bacon had hard things to say of Overbury, who, "having little that was solid for religious or moral virtues, but was wholly possessed with ambition and vain-glory, was loth to have partners in the favour of my Lord of Somerset, and especially not any of the House of the Howards, against whom he had always professed hatred and opposition."

Here, then, was the motive; and Bacon went on to describe the trap that had been laid for Overbury: how he was imprisoned in the Tower; how Wade, then Lieutenant, was replaced by Elways; and how Weston was introduced as the keeper of the prisoner.

"Then," said Bacon, warming to his work, "when they had this poor gentleman in the Tower, close prisoner, where he could not escape nor stir; where he could not feed but by their hands; where he could not speak or write but through their trunks—then was the time to act the last day of his tragedy. Then must Franklin, the purveyor of poisons, procure five, six, seven, several poisons, to be sure to hit his complexion. Then must Mrs. Turner, the lay-mistress of the poisons, advise what works at present and what at a distance. Then must Weston be

the tormentor, and chase him with poison after poison, poison in salt-meats, poison in sweet-meats, poison in medicines and vomits, until at last his body was almost come by use of poisons to the state of Mithridates' body by the use of treacles and preservatives, that the force of the poisons was blunted upon him."

All this while, said Bacon, Somerset sent continual letters to the prisoner, keeping him in hope of release. But after his death he showed a guilty conscience by endeavouring to get a general pardon from the King, and by "defacing, destroying, clipping, and misdating all letters that might give light to the impoisonment."

The Attorney-General divided the evidence of those things into separate heads, in order, he said, that the prisoner might prepare his answers without confusion.

1st. The plot between Somerset, the Earl of Northampton, and Lady Essex to secure the disgrace of Overbury.

2nd. The trap to get him into the Tower, where they might poison him.

3rd. The removal of Wade, and the appointment of Elways as Lieutenant of the Tower, through Somerset's influence.

4th. The placing of Weston as underkeeper by Somerset.

5th. The Earl's pretence of securing Overbury's liberty, while he was keeping him in the Tower until the poisons might take effect.

6th. The close confinement of Overbury by Somerset's device, so that the prisoner was not allowed to see his friends.

7th. The continual news brought to the Earl at Court as to Overbury's state of health, "such a thirst and listing he had that all was despatched."

And lastly, the clipping and misdating, etc., of the letters from the Earl of Northampton.

Of these Bacon said they were "written, I must say in dark words and clauses, that there was one thing pretended and another thing intended; that there was a real charge, and somewhat not real, a man's drift and dissimulation. Nay, further, there be some passages which the Peers, in

their wisdom, will discern to point directly at the imprisonment."

The difficulty in dealing with the evidence that follows is that the reports of the trial differ considerably on material points. The report published in all editions of the State Trials omits, in a curious way, many points in favour of the prisoner which are included in a manuscript report discovered among the State Papers. This leads one to suspect that the printed report had first been edited by some hand desiring to make the proofs of the Earl's guilt appear as strong as possible. Mr. Gardiner, however, adopts the view that two reporters in court, using an imperfect system of shorthand, and exhausted by a trial lasting for many hours in an overheated court, both endeavoured to get down as much of the evidence as they were able, and that each noted down certain points which the other missed. In the following account of the trial, the gist of both reports has been adopted.<sup>1</sup>

The evidence produced against the Earl was founded upon the examinations taken by the Lord Chief Justice ; and although Bacon had some of the witnesses present to deny or affirm what was read, the chief witnesses had already been hanged. Then only parts of the examination were read, and those parts which told against the prisoner, who had no opportunity of producing other passages which were in his favour. The Earl of Somerset, however, had no cause of complaint against the form in which the evidence was presented, which was according to the eight "links" of which Bacon had woven his chain. In that order it must now be studied.

First, then, the estrangement between the Earl and Overbury. Henry Payton, servant of Sir Thomas Overbury, examined before Coke, had narrated the conversation overheard in the gallery at Whitehall, when the two men had quarrelled violently, and Overbury had threatened to leave the Earl's service.

<sup>1</sup> For a study of the differences in these two reports, the reader should consult Amos's "Great Oyer of Poisoning."

Then Laurence Davies, once Overbury's servant, had declared that he had heard his master say that he would go on the embassy, but Lord Rochester had dissuaded him. He also said that he had seen some letters of Overbury's "wherein he writ that the Lord of Rochester was even with him." But thought that Lord Rochester never saw those passages.

Here the prisoner interposed, and emphasised that point.

"I pray you, my lord, note that he says I never saw those passages."

"It is true," said Bacon, "for those letters were lost, but afterwards found by one who knew them to be in his master's, Sir Thomas Overbury's, hand."

There was now produced the long letter which Overbury had written to Somerset from the Tower, and in which he had reproached him for his treachery, and said, "Whether I live or die, your shame shall never die." This letter had been found in the cabinet taken to the Commissioners by the merchant in Cheapside, to whom they had been entrusted by the lady friend of Sir Robert Cotton. Sir Edward Coke and Lord Zouch bore witness to the fact, and Payton and Davies swore to Overbury's handwriting.

The evidence of Simcock was now produced. It will be remembered that he was the man who had supplied the puppets to Weston for the evil purposes of Forman the astrologer. He was not therefore a reputable witness. But he deposed that "Weston told him many times when Overbury was in the Tower that my Lord of Somerset charged him to look to Overbury well; for if ever he came out one of us two must die."

Here the prisoner again interposed with a very pertinent question.

"I would fain know," he said, "whether Weston were examined or no [on this point]."

Weston had not said anything on that subject, but here one of the peers—Lord Wentworth—asked how long it was since Simcock and Weston were acquainted.



"He and I," said the witness, "were of ancient and familiar acquaintance long since."

The evidence of Laurence Davies was again produced to show that Lord Somerset had entrusted State packets to Overbury. Sir Francis Bacon explained his point in using this.

"I will not now, my lords, endeavour to press the greatness of his offence. But I urge it thus: That you may see there were no mean secrets betwixt my lord and Sir Thomas Overbury that might rather cause him to fear him, than the hindrance of the marriage. If that had been it alone, *his going beyond the sea would have served his turn.*"

The Earl of Somerset admitted that among many other names that were used between him and Overbury, Simonist was for Sir Henry Neville, Wolf for the Lord Treasurer Suffolk, and Ductius for the Archbishop of Canterbury.

Bacon turned to the peers with a dramatic air.

"In good faith," he said, "these two made plays of all the world beside themselves; but though it were a play then, it hath proved tragical since!"

The next link in Bacon's chain now appeared. It was to prove the plots to get rid of Overbury before he went to the Tower.

A sentence alleged to have been taken out of Franklin's contradictory confessions was here used:

"That my Lady Somerset said the cause of his hatred of Sir Thomas Overbury was that he would pry so far into my Lord of Somerset that he would put him down."

This sentence was only a garbled version of what Franklin really did say, according to Sir Edward Coke's own draft, where the words read: "She told him he would so far pry into their estate that he would overthrow them all." The Earl of Somerset was not mentioned by name.

More important evidence was that of Sir David Wood, who described how Lady Essex had tried to bribe him to kill Sir Thomas Overbury. When he asked for Lord

Rochester's promise that if he did it he should escape, the lady hesitated, and told him "that could not be," upon which he had refused.

The prisoner under examination had admitted that "it was once resolved somebody in Court should fall out with Overbury and offer him some affront; but that was not followed."

Bacon turned again to the peers.

"Note, my Lords, he does not say it was *disliked*."

The evidence now came to what Bacon called "the puddle of blood," the first proof of which was the means taken by the Earl to get Overbury into the Tower.

Sir Dudley Diggs swore that Overbury *told* him that he meant to accept the embassy, but afterwards he sent word by Sir R. Mansel that he had changed his mind. And Sir R. Mansel *told* Diggs that he had seen a letter from Somerset to Overbury dissuading him from that course.

"Seeing," said Sir Dudley, "that Mr. Attorney hath called me so far out of the country for this small testimony, *I wish Sir R. Mansel were here to justify it.*"

There was now produced a letter from the Earl of Somerset to the King, written shortly before the trial, in which the prisoner himself confessed that he had schemed for the imprisonment of Overbury. It was as follows:

"Being told by my Lord Chief Justice that I was indicted, and was shortly to expect my Arraignment, I did not then believe him; for I did not look that way. Your Majesty hath three kingdoms, wherein to exercise the prerogative of your power, and but few that taste of the first of your favours, in which number I did think myself, if not the first, yet inferior to very few. And having committed no offence against your person nor the State, I hope your Majesty will not for this bring me to a public trial, which, for my reputation's cause, I humbly desire to avoid. Grace truly given may be a benefit: for it is not enough to give life, and not to save reputation. But if I must come to my trial, knowing the presumptions may be strong against me, in respect I consented to and

endeavoured the imprisonment of Sir T. Overbury (though I designed it for his reformation not his ruin); I therefore desire your Majesty's mercy, and that you will be pleased to give leave to dispose of my lands and goods to my wife and child, and graciously to pardon her, having confessed the fact. For myself, being uncertain how I shall be judged on presumptions, I humbly desire that in the meantime you will be pleased to give my Lord Hay and Sir Robert Carr leave to come to me."

Bacon now came to the proofs of Somerset having removed Wade from the Tower to make way for Elways; and for this he produced the evidence of Elways himself, who, when examined, said that Sir T. Monson told him that Wade was to be removed, and that if he succeeded Sir W. Wade he must bleed, that is, give £2,000.

Bacon hereupon remarked with deep significance:

"You may see they had ciphers for money. He must bleed—a strange presage!"

This, of course, was a mere oratorical fancy, for it had nothing whatever to do with Overbury's "bleeding."

Then Sir Thomas Monson, examined, said that upon the displacing of Wade, Lord Northampton had urged the King to appoint Elways, and that Monson himself directed Elways to go to Lords Shrewsbury and Pembroke, soliciting their influence with Lord Somerset. Elways, however, declared that when he was desired to approach Somerset he took it only as a "colour" or pretence, as the King *was resolved before*.

Now came the appointment of Weston as Keeper. Monson admitted that he recommended Weston to Elways *upon the Countess's entreaty*, and also that Lord Northampton knew about Weston.

Weston himself under examination declared that "my Lord and Lady Somerset gave good words of him to the Lieutenant." As to this Somerset denied all knowledge of Weston either before his going to the Tower or since. But against Somerset's denial was brought the statement of Simcock the puppet-maker that "Weston often went to

Lord Somerset's during Overbury's imprisonment and had much money from him."

At this point in the trial great consternation was caused by the breaking of a scaffold. There was much noise and confusion in court, but afterwards silence was proclaimed and all was hushed and quiet.

The next link in Bacon's chain of evidence was the means taken by the Earl to keep Overbury in close imprisonment and to prevent the visits of his friends. Sir Thomas Overbury's father described his attempts to see his son, and Somerset's persuasion that he should not press to see him or send petitions to the King. There were also Somerset's letters to Overbury's parents desiring them to go to a country house, and after their son's death offering them his sympathy, and desiring to serve the dead man's brother. Sir John Lidcott, Overbury's brother-in-law, had obtained leave to see the prisoner in the Tower, when Overbury asked "whether Somerset juggled with him or not." Then once, when Lidcott was speaking with Somerset about him, the Earl "gave a counterfeit sign (as his deponent conceived), for he smiled in his face." Sir Thomas Monson under examination deposed that Lord Northampton and Lord Somerset gave directions to the Lieutenant of the Tower to keep Overbury close prisoner.

Bacon then set out to prove that while Overbury was being "plied with poisoners" in the Tower Somerset "thirsted after the news, to know what became of him, and continual posts went between him and my lady." For this he chiefly relied on the statements of Franklin about the letter which the lady *told* him that she had received from the Earl, in which he wrote, "If Weston did not presently despatch, Overbury would soon be out."

Elways had deposed that he received several letters from Lady Essex desiring to know how Overbury was, that she might certify to the Court.

Lord Somerset under examination admitted that many



letters passed between the lady and him, and that possibly some of them concerned Overbury.

Now for the first time in this trial was mentioned the name of that mysterious French physician Loubell, or Lobell, who had been in constant attendance on Overbury in the Tower, and who, as we know, had sent William, the apothecary's boy employed by his son, to France with letters of recommendation.

He deposed under examination that Somerset sent for him three times, desiring to know about the prisoner's health. On the last time, at Whitehall, he told him that "he was very sick," and added that he found him ill before June 25.

Somerset, however, denied that he had ever seen Lobell more than once, and that at Theobalds.

"Here again," said Bacon, "you see my lord falsified. But it seems, imagining or not knowing that Loubell could say more against him than he hath done, he denied the knowledge of him, as he did of Weston."

The Lord Chief Justice here thought it was his duty to intervene, and he made a remarkable statement.

*"It was doubted Loubell might be a delinquent,"* he said; *"and, therefore, I durst not examine him on oath no more than I did Franklin. But when in their testimony they accuse themselves it is as strong as if upon oath."*

This was the first time that a suggestion had been made publicly that Loubell, the French physician in attendance on Overbury, was under suspicion. But in addition to that there is an obvious insincerity in Coke's words. It may have been true that when witnesses accuse *themselves* in their testimony it is as strong as if upon oath; but in this case of Loubell (or Lobell, as he was generally called) did not accuse himself, and his unsworn evidence was accepted against the Earl. It was curious that the prisoner did not point out this distinction.

Sir Francis Bacon now came to the letters which passed between the the Earl of Northampton and the Earl of Somerset with reference to Overbury, and here un-

doubtedly was evidence which creates the greatest suspicion against the prisoner.

"Now," said Bacon, "in respect Overbury had a working brain, my Lord of Northampton must in show negotiate about his delivery, and the terms of his coming out, whilst they intended his poisoning. That was real, and the other but pretence."

In the first letter to Somerset Lord Northampton used the following words :

*"In this business concerning Overbury there must be a main drift and a real charge : you may imagine the meaning."*

In his second letter he wrote :

*"I yesterday spent two hours in prompting the Lieutenant, with as great caution as I could, and find him to be very perfect in his part, and I long exceedingly to hear his report of the adventure."*

In his third letter he wrote :

*"You need not use any instruments so long as I am in town with the Lieutenant."*

The fourth letter was most damning in its suggestion :

*"I cannot deliver with what caution and discretion the Lieutenant hath undertaken Overbury. But for his conclusion I do and ever will love him the better : which was this : That either Overbury shall recover and do good offices betwixt Lord Suffolk and you" [concerning the marriage between the Earl and Suffolk's daughter] "which if he do not, you shall have reason to count him a knave ; or else, that he shall not recover at all, which he thinks the most sure and happy change of all ; for he finds sometimes from Overbury many flashes of a strong affection to some enemies of his."*

The Prisoner acknowledged these letters to be from the Earl of Northampton. "All those that I sent him," he said, "were delivered me after his death by Sir R. Cotton : all which, the evening before my commitment to the Dean of Westminster, I burnt."

"These letters of Northampton," said Bacon, "were found in the box Sir R. Cotton gave Mrs. Farnforth. And

here my part ends, and that that rests behind I leave to the two serjeants."

The Lord High Steward here interrupted the progress of the case by a solemn appeal to the Prisoner.

"My lord," he said, "you hath heard what hath been urged against you, and may imagine that there rests much behind. And, therefore, you had best confess the truth; otherwise you will but more and more wind in yourself."

Somerset refused to listen to this appeal, very proudly and resolutely. He stood by his innocence.

"My lord," he said, "I came with a resolution to defend myself."

After this, many hours having been spent in court without a break, so that the evening was drawing on, the Lord High Steward and the other lords retired for awhile. When they returned to the hall Serjeant Montague took up the case for the prosecution from the point at which it had been relinquished by the Attorney-General.

Sir Henry Montague's duty was to exhibit the proofs of Somerset's knowledge of the poisoning and of his interest and complicity in that crime.

"There be three things," he said, "that make it evident that my Lord of Somerset was the principal procurer. (1) A powder that was sent Sir Thomas from your own hand, which was poison and taken by him. (2) Poison in tarts which you occasioned to be sent. (3) That you thirsted after the success and wondered that he was no sooner despatched . . . And (1) *For the powder*, it was sent in a letter written with my lord's own hand to Overbury, and you wrote that it would make him a little sick (which it did in a high degree); and that upon this you would take occasion to speak for him to the King. (2) *For the poisoned tarts*: At first you sent them good to disguise the bad, but after came the poisoned tarts which you sent him. And to make this appear that they came from you, continual posts came between you and my lady, and she writes to the Lieutenant, 'I was bid to tell you that in the tarts and jellies there are *letters*, but in the wine none.

And of that you may take yourself and give your wife and children, but of the other not. Give him these tarts and jellies this night, and all shall be well.'<sup>1</sup> And it appears that the *letters* did signify poison. (3) *The third charge* that I shall lay on you is that you wrote to my lady that you wonder these things were not dispatched. She presently sent for Franklin and showed him your letters: which he read and remembers the words. She then sent for Weston to dispatch him quickly, who answered that he had already given him as much as would poison twenty men. And in all these things, my Lord, I shall prove you as guilty as any whatsoever hath been formerly arraigned."

Serjeant Montague then produced the evidence for his argument. There was first Franklin's confession as to the procuring of poisons which were tried upon a cat *or* a dog, "which was wonderfully tormented and died." [There was no mention of the Earl of Somerset]. "Then Weston being summoned said that the lady told him he should be well rewarded when the deed was done, upon which he said that he had already given him as much poison as would kill twenty men." [There was again no mention of Somerset].

The Earl under examination said: "That he caused a vomit to be sent to Overbury at his own request, which was a white powder; and it was the same which he [Somerset] had before of Sir R. Killigrew and sent by Rawlins; and it may be that the second, sent by Davies, was in a letter."

Sir Robert Killigrew bore witness that during the time of

<sup>1</sup> In the letters given above in the State Trials it is noticeable that important alterations appear. The King's criticism of this letter rested upon the interpretation of the pronoun "he," which does not appear at all in the text now produced. The text of the letter as given in the manuscript is as follows:

"I had but one that came safe to me: one tart was broken." [This seems to show that the tarts were used for secret correspondence, otherwise they would not have been returned.] "I was moreover bid to tell you that if he did send you any wine, you might drink of it, for in it there were not letters, but of the tarts and jellies eat not; but if you send them to your wife, say they are for me, and keep them for me. Do this at night, and then all shall be well."



Overbury's imprisonment Somerset (then Lord Rochester) sent to him three different times for a white powder which Killigrew (a medical man) knew to be a good and wholesome physic. The first the Earl requested for Overbury; but the Earl told him he had lost that one. The second the Earl took himself, as he told Killigrew. The third he sent to him at Beuley by Godolphin. "And these were all that the Earl of Somerset had from him, of which he never knew or thought that Overbury received any."<sup>1</sup>

Lawrence Davies, Overbury's servant, said that "three weeks after Sir Gervase Elways came to be Lieutenant of the Tower, my lord sent, in a letter by him, a white powder to Sir Thomas Overbury, and that it would make him a little sick, so that he might have the better opportunity to speak for him to the King. Next day Weston told him how sick Overbury had been, and showed him what loathsome stuff he had vomited, which he would have had to have carried to the Lord Somerset, but Weston would not let him, saying it was an unfit sight to show him."

Sir Henry Montague then addressed the Peers.

"Four several juries," he said, "have found that this powder was poison, and of this poison Sir Thomas Overbury died<sup>2</sup>; now for the proofs of the poisoned tarts."

Lady Somerset in examination said "She knoweth of no tarts [that] were sent Sir T. Overbury, but either from herself or her lord."

Sir Gervase Elways said in examination: "By letters my lady meant poison." [At his trial, *after* his examination, he swore that he had given the bare literal to this word.]

Lady Somerset again in examination said that "By *letters* she meant *perhaps* poison."<sup>3</sup>

<sup>1</sup> This evidence is omitted from the report printed in the State Trials, but given in the manuscript report.

<sup>2</sup> That was untrue. In the indictment of Weston the cause of Overbury's death was given as the poisoned clyster administered on Sept. 14. According to the evidence just quoted, the powder sent by Somerset was taken three weeks after Elways was Lieutenant, that is at the end of May.

<sup>3</sup> This *perhaps* is omitted in the printed report of the State Trials.

Finally, as showing the Prisoner's haste to put an end to Overbury, Franklin's evidence was read, saying, "In a letter which my lady *told* him was sent her from my lord there were these words: 'That he wondered things were not yet dispatched,' and he *thinks* by this was meant Overbury by reason of her then speeches to him, and present sending for Weston."

Sir Henry Montague now relinquished his part of the case for the prosecution, which was concluded by Sergeant Crew, who began with a florid oration by which he stirred the emotions of the great assembly, now highly wrought after many hours of strained attention in an overheated court.

"My Lord High Steward," he said, "and you, my noble Peers, I am now left the last opponent. I am to take up the last weapon against this wounded man, wounded not by the cunning of wits, or by the strength of invectives, as the great lord in his petition to His Majesty suggested, but by his own guilt, for out of his own mouth has he been accused, his own hand has disarmed himself, and left himself naked to shame and punishment."

Here he turned to the Prisoner and addressed him with dramatic accusation.

"And now I behold you, my Lord of Somerset, methinks I hear the ghost of Overbury crying unto you in this manner '*Et tu quoque, Brute!* Did not you and I vow a friendship of souls? Did you not sacrifice me to your woman'? (My Lord, I speak as he wrote). 'And are you thus fallen from me, or rather are you thus fallen heavily upon me to overthrow, to oppose him thus cruelly, thus treacherously, by whose vigilance, counsel, and labour you have attained your honourable place, your estimation in the world for a worthy and well-deserving gentleman? Have I not waked that you might sleep, cared that you might enjoy? Have I not been the cabinet of your secrets, which I did ever keep faithfully, without the loss of any one to your prejudice, but by the officious, trusty, careful and friendly use of them, have gained unto you a sweet and great interest of honour, love, reputation, wealth, and whatsoever might yield con-

tentment, or satisfaction to your desires? Have I done all this, to suffer this thing by you, for whom I have so lived as if my sand came in your hour-glass? *Et tu quoque, Brute!* . . . My Lord, when you had effected this bloody deed, you then began to fear; then began to find it true that there is no safety in doing evil, for the snare which they have laid, the pit which they have digged for others, they themselves are fallen into. This, my Lord, I say you found in your own conscience; and as Adam, when he had eaten of the fruit of the forbidden tree, with the broad leaves of the fig-tree to cover his nakedness, so you, my Lord, by all close and secret practices, sought to veil this mischief, to hide it from the eyes of the world, following Adam one step farther into the thicket."<sup>1</sup>

Serjeant Crew then produced his evidence to show that the Prisoner, when Overbury was dead, endeavoured to hide the traces of his guilt.

First there was shown the testimony of Lawrence Davies, who said that after his master's death he became a suitor to enter the service of the Earl, but was rejected. In the summer of 1615, however, he received a visit from Rawlins, the Earl's servant, desiring him to hand over all letters which had passed between the Earl and Overbury. Afterwards, two or three days before his commitment, the Earl sent for Davies and gave him £30. "It is true," he said, "that I have heretofore been moved to retain thee, but out of sight out of mind, and so I forgot thee; but now I will remember thee. Hast thou any more writings?" Davies answered, "Only two or three in the country"; and he was desired by the Earl to bring him those.

Then the warrant was produced which the Earl had given to a pursuivant as an authority to search for a trunk-full of papers in the house of Weston's son, Richard. These papers were found and delivered to the Earl.

The evidence of Sir Robert Cotton was read, in which the witness confessed that after the Earl of Northampton's

<sup>1</sup> This eloquent speech is not given in the printed report of the State Trials, but in the manuscript report, as published by Amos.

death he collected thirty letters from Lord Somerset to Northampton, which he, upon request, delivered to the Lord Treasurer [Suffolk], who sent them to Somerset, who burned them two or three days before his arrest. The Earl of Somerset, under examination, had himself confessed delivering to Sir Robert Cotton other letters from Northampton, which were discovered in the cabinet taken to the Commissioners by the merchant in Cheapside, who had them from Cotton's friend, Mrs. Farnforth. These, according to the confessions of the Earl and Cotton, had been altered and clipped and mangled.

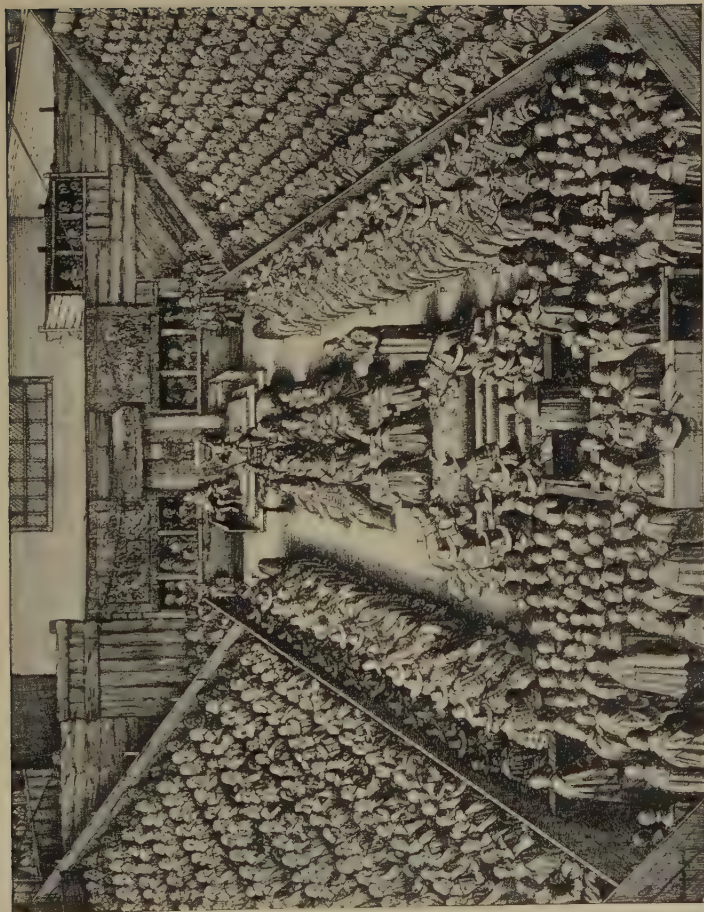
"Amongst those letters thus antedated by Sir Robert Cotton, one letter especially was noted concerning the white powder which my Lord of Somerset sent unto Overbury, wherein Overbury writ to Somerset *that the powder had wrought well with him, etc., but that he meant to take no more*; which letter was so dated [by Cotton] as it might seem to have been the powder which he had received from Sir Robert Killigrew; but it could not be so, for the Earl received but three powders from Sir Robert Killigrew, the first whereof he told him he had lost, the second the Earl took himself, the third as it showed he sent to Overbury by Rawlins, which gave him but one vomit: but there was a fourth, which was sent by Davies, and fell out of the letter into his pocket, which Franklin confessed was a violent poison, and so it seemed by the operation of it as before appears."<sup>1</sup>

Here the Prisoner interrupted the counsel for the prosecution.

"For these letters," he said, "Sir Robert Cotton delivered them me back after my Lord of Northampton's death; and concerning the dates you need not trouble yourself, *for it now grows late, and I shall have very little time to answer for myself*. I confess Sir Robert Cotton delivered me back those letters I had sent my Lord of Northampton, and that I burnt [some of] them, and that some parts were cut off as impertinent."

<sup>1</sup> Manuscript report.





From an engraving after W. Hollar.

A STATE TRIAL IN WESTMINSTER HALL.



There was now produced the copy of the pardon which Somerset had endeavoured to procure from the King. This had been drafted by Sir Robert Cotton, and amongst "other offences before and after, of small account, treason and murder were foisted in."<sup>1</sup>

"This it was," said Sir Randall Crew, "that made Weston fear that the net was for the little fishes and that the great ones would break through."

Finally, the last thing urged against the Prisoner was the letter he had written to the King, in which he said that "Grace timely given is a benefit, but that it was necessary to save reputation as well as life." In this letter he had begged the King's leave to bequeath his lands and goods to his wife and child.

"This declaration," said Mr. Serjeant Crew, "is an implicative confession."

The case for the prosecution was now closed. It was late in the evening, and while the great assembly still listened in tense silence to all this dramatic evidence, the dusk had crept into Westminster Hall, so that torches were sent for. All this time the great lords and ladies had been fasting, some of them from six o'clock in the morning, and the weather was so hot that, in spite of their excited interest, a few became faint and could hold out no longer, so that they left the court.<sup>2</sup>

At the conclusion of the case for the Crown, Lord Chancellor Ellesmere made another appeal to the Prisoner to plead guilty.

"My Lord of Somerset hath behaved himself modestly in the hearing," he said; "and only this (before you speak for yourself), by way of advice, I will say unto you, in giving you two samples: Your wife, that yesterday confessed the fact; and there is great hope of the King's

<sup>1</sup> State Trials. In the manuscript report it is stated that "accessory before the fact unto poisoning" was one of the clauses; but if that had really appeared, it would certainly have been given in the printed report of the State Trials.

<sup>2</sup> Chamberlain, "Court and Times."

mercy, if you now mar not that which is made. On the contrary, Byron, who, when the King of France used all the means he possibly could to bring him to the acknowledgment of his offence, which, if he had done, there was no question to be made of the King's grace. And I think there never was, nor is, a more gracious and merciful King than our master. But Byron still persisting in the denial of the fact, you know his end."<sup>1</sup>

But the Earl of Somerset was again resolute in his determination to prove his innocence.

"I am confident in mine own cause, and am come hither to defend it."

Seeing his resolution, the Lord High Steward no longer thwarted him.

"My Lord of Somerset," he said, "you have plainly and orderly heard your accusation. As Festus said unto Paul, 'Speak boldly, for we will hear thee this day.' So, my Lord, I say unto you, Be not troubled with yourself to imagine your answers shall be abridged by time. It is indeed very late, but we will borrow some hours of the night; we will think no time too long, so long as you shall be able to reply. But I pray you, my Lord, spare frivolous circumlocution; forbear to enter into any other discourse concerning yourself, the State, and others. The thing whereof you are accused is only Overbury's death, the allegations and evidences only such as tend to prove you accessory before the fact. Whatsoever you can say to clear yourself of this murder, in the name of God speak freely and fully; you shall be heard with all patience at large."<sup>2</sup>

The Prisoner, like all in court, was tired, and his brain was bewildered by the mass of evidence which had taken so many hours to produce. It was said by one of the reporters present that he spoke "confusedly, insisting most upon those particulars which were least material."<sup>2</sup>

The Prisoner himself began his defence by a kind of apology for not keeping to the order of the charges against him.

<sup>1</sup> State Trials,

vol. 1, p. 102. <sup>2</sup> Manuscript report,



"In respect the King's counsel have been so long speaking against me," he said, "that neither my memory nor notes will give me leave to answer every particular in order, I will begin with some of the last things that they seemed most to urge against me, and so answer the rest that I think do anything at all touch me."

Then he began to deal with the various points rather at random and not very skilfully.

"Though it be true," he said, "that I consented to Overbury's imprisonment, to the end he should make no impediment to my marriage, yet I had a care of his lodgings that they should be where he might have the best air, and windows both to the water and within the Tower, so that he might have liberty to speak with whom he would. So you see it was against my intention to have him close prisoner."

"Whereas the breach of friendship betwixt Overbury and me is used for an aggravation against me, it is no great wonder for friends sometimes to fall out, and least of all with him; for I think he had never a friend in his life that he would not sometimes fall out with, and give offence unto. And this they termed insolence in him; but I give it a better name.

"For the great trust and communication of secrets between Overbury and me, and for the extracts that he took of ambassadors' letters, I confess this. I knew his ability, and what I did was by the King's commission. For other secrets, there were never any betwixt us.

"And for his fashion of braving both in words and writing, there was none knew it better nor feared it less than myself. At that time he was in disgrace with the Queen, and for that cause was enforced for a time to absent himself from Court, and this was for some particular miscarriage against Her Majesty; and though I laboured his reconciliation and return, yet he, with main, violent terms, laid the cause of his disgrace upon me. And another time my Lord of Salisbury sent for him, and told him that if he would depend upon his favour he would presently help

him with a suit that should benefit him £2,000, which presently Overbury, coming to me, told me of. To which I answered—he did not need to rely upon anybody but me, and that, if he would, he might command my purse, and presently have more than that; and so he had. And yet afterwards, upon some causeless discontent, in a great passion he said, That his love to me had put him out of my Lord of Salisbury's favour, and made him lose £2,000.

"Whereas it was urged that I caused him to refuse the employment that was imposed upon him, it is not so; for I was very willing he should undertake it, but he not. My Lord of Canterbury moved him to it, but not without my privity; for I should have been glad to have removed him, both in respect of my marriage and his insolence. But Overbury came to me and said, 'I will tell Sir Dudley Diggs I will undertake this embassaye, that he may so return answer to my Lord of Canterbury; but then you must write to me not to do so, and so take it upon you.'

"Whereas it is pretended that I should cause poisoned tarts to be sent him to the Tower, my wife in her confession saith, 'That there were none sent but either by me or her; and some were wholesome, and some not.' Then it must needs follow that the good ones were those which I sent, and the bad ones hers."

Here Lord Lisle interrupted the prisoner in his defence.

"If you had sent him good tarts, you should have seen them conveyed by a trusty messenger."

Lord Compton spoke also.

"My lady in her letter to the Lieutenant writes, 'I was bid to bid you do this.' Who should bid her?"

The prisoner's answer is not recorded, but Sir Henry Montague answered the question:

"The continual letters between my lord and her argued that."

The Prisoner then continued:

"The confession of Franklin, who said he dare take his oath upon the Bible that I consented to Overbury's death, who further said that I was in an inner room, as he knew

by my voice, at Whitehall last Michaelmas, when Frances" [as Somerset called his wife] "sent for him to tell him that Weston was apprehended, who yet again affirmed that he had seen divers letters of mine unto Frances during the progress and Overbury's imprisonment, concerning plots, businesses, etc., I humbly move your Lordship to conceive that, being the most affectionate to Frances, . . . I had much occasion to write to the Countess of secrets of moment, perhaps concerning Overbury, *yet not coasted on the red sea of blood or death*, which that perjured Franklin (by a letter of mine, which he avouched he did read) did prove without all contradiction. The letter was urged by you, Serjeant Montague—namely, that Overbury was like to come out within these few days, if Weston did not play his part, etc.; whereupon the Countess sent for this Franklin. If this letter is to be produced, if Frances ever confessed that I did ever send such a letter unto her, I am then guilty and convicted without excuse; but I call Heaven now to witness I never wrote any such letter neither can any such be produced. Let not you then, my noble Peers, rely upon the memorative relation of such a villain as Franklin, neither think it a hard request, when I humbly desire you to weigh my protestations, my oath upon my honour and conscience, against the lewd information of so bad a miscreant; for, my Lords, both in his life and death he proved himself atheistical."<sup>1</sup>

Concerning Weston, the Prisoner denied that he ever knew the man before he was Overbury's keeper, and never saw him till after Overbury's death. He denied Simcock's testimony on this point, and said that Weston might perhaps have brought him letters from Frances when she was Countess of Essex, but never delivered them to himself, but to some of his servants that attended his chamber.

Concerning the powder, he said that it was impossible it should be poison, as he could prove by the letter of Sir Thomas Overbury saying that the powder had wrought

<sup>1</sup> Manuscript report. This denunciation of Franklin's evidence is very much abridged in the report in the State Trials.

very gently with him, but that he would take no more. He attached the greatest importance to this letter, which was not produced, "and had recourse to it again and again."

Here he had an altercation with Serjeant Crew, who declared that the misdating of that letter proved that it did not refer to the powder sent by Rawlins, which had worked gently, but to the one sent by Davies, according to that man's evidence, which had had a violent effect. The Earl of Somerset seemed "very perplexed" over this, and still called for Overbury's letter, placing his innocence upon that.<sup>1</sup>

The Prisoner admitted having given a warrant for the search of papers in Weston's house, which he did at his wife's request. As for the pardon, he had sought it on the advice of Sir Robert Cotton, who told him "in what great danger so great persons honoured with so many Royal favours were in danger to forfeit either life or goods by attainder, premunire, or other course of law, withal telling him that it was usual for such persons as he was to have large and ample pardon." The words he left to the lawyers.

"For the declaration which I lately sent to the King," he continued, "and particularly the word mercy which is now so much urged against me, it was the Lieutenant's; for I would have used another, but he said it could be nothing prejudicial unto me. But when I writ it I did not think thus to be sifted in this declaration; for in that I, in all humility, did so far endeavour to humble and yield myself, that the King might the better express his grace. And for the words (that I did consent to and endeavour the imprisonment of Sir T. Overbury) it is true, for the reason there alleged."

Here the Earl of Somerset paused, and seemed to have come to the end of his defence.

Sir Francis Bacon therefore rose and said:

"May it please your Grace. My Lord here hath had a most gracious hearing, and hath behaved himself modestly and wittily."

<sup>1</sup> Manuscript report and State Trials. It is a pity that in both reports this part of the defence is given very briefly and vaguely.



It was no doubt a great relief to the Attorney-General and to all the judges that the Prisoner had used no wild words or made any accusations against the King. If those men whom Weldon said stood behind him at his trial were really present, there was no need of their cloaks.

The Lord High Steward was determined to see justice given to the Prisoner and not to cut short his defence, though now it was quite dark in Westminster Hall, and the torches flared and flickered on the faces of the great crowd, and upon the white face and flaxen hair and the sunken eyes of the Earl who stood at the bar.

"If you have any more to say, my Lord," said Ellesmere, "you shall be heard at length; we will not straighten you for time."

The Prisoner remembered one or two other points.

"For Loubell," he said, "I never saw him but twice. He affirms the contrary. I deny it. For Sir Robert Cotton, I could wish that he were here to clear many things that now be obscure."

Bacon, who had promised to produce his witnesses, had failed in this case. He had to justify himself, but the excuse can hardly be accepted.

"If he were here he could not be sworn for reason of State, being a delinquent."

The Earl then desired to say something about Sir David Wood, whom Frances, his wife, had tried to bribe to kill Sir Thomas Overbury.

"There was a suit wherein he might have benefited himself £1,200, which I was willing to further him in, conditionally that Overbury should have been a sharer. But for the not effecting of it it seems he took some dislike to Sir Thomas Overbury."

There were two other points.

"The money that Sir Gervase Elways gave for his place I had no part of it. Whereas, the shifting of places is urged against me, to make the more easy way for Elways's entrance, *it is well known the reason of Wade's displacing was in respect of his carelessness in suffering the Lady*

*Arabella to have a key by which she might have conveyed herself out of prison. More I cannot call to mind ; but desire favour."*

So the Earl of Somerset ended his defence. Then Sir Francis Bacon rose again, and addressing himself to the High Steward, said :

"It hath, my Lord, formerly at arraignments, been a custom after the King's Counsel and the Prisoner's defence hath been heard, briefly to sum up what hath been said. But in this we have been so formal in the distribution that I do not think it necessary. And therefore now there is no more to be done but that the Peers will be pleased to confer, and the Prisoner to withdraw till the censures be past."

"My Lords," said the Earl of Somerset before he left the bar in charge of the Lieutenant, "before you go together, I beseech you to give me leave to recommend myself and cause unto you. As the King hath raised me to your degree, so he hath now disposed me to your censures. This may be any of your own cases, and therefore I assure myself you will not take *circumstances* for evidence, for if you should the conditions of a man's life were nothing. In the meantime you may see the excellence of the King's justice, which makes no distinction, putting me into your hands for a just and equal censure. For my part, I protest before God I was neither guilty of, nor privy to, any wrong that Overbury suffered in this kind. A man sensible of his own preservation had need to express himself."

Then he was withdrawn from the bar, and the Lord High Steward very briefly summed up the evidence against him. Thereupon, the High Steward himself retiring, the Peers remained together for some time, during which they sent for the two Chief Justices. Presently they all returned to their places, and when the Lord High Steward again took his seat under the scarlet canopy the Serjeant-crier called every lord by his name, and each one answered in turn.

The Lord High Steward spoke to the first peer on the list.

"Robert, Lord Dormer, how say you? Whether is Robert, Earl of Somerset, Guilty of the felony, as accessory before the fact, of the wilful poisoning and murder of Sir Thomas Overbury, whereof he hath been indicted or arraigned, or Not Guilty?"

Lord Dormer stood up and bared his head.

"Guilty, my Lord."

So each one answered; but when it came to Lord Norris's turn he said, "Guilty of murder," upon which the Lord High Steward said that he must answer Guilty or Not Guilty. Lord Norris said Guilty, and so did every peer who followed.

Then the Lieutenant of the Tower brought back the Prisoner to the bar, and it was noticed that the Earl had taken off his Order of the George. He stood facing his peers, with the light from the torches gleaming upon his own haggard and weary visage.

"My Lord High Steward," said Sir Francis Bacon, "Robert, Earl of Somerset, hath been indicted and arraigned, and put himself upon his peers, who all, without the difference of one voice, have found him Guilty. I pray judgment."

"Robert, Earl of Somerset," said Mr. Fenshaw, the Clerk of the Court, "hold up thy hand. Whereas thou hast been indicted, arraigned, and pleaded Not Guilty, as accessory before the fact, to the wilful poisoning and murder of Sir Thomas Overbury, and hast put thyself upon thy peers, who have found thee Guilty, what hast thou to say for thyself, why Sentence of Death should not be pronounced against thee?"

The Earl was still very calm and courageous.

"The sentence that is past upon me must be just," he said. "I only desire a death according to my degree. For that Simcock said——" it seemed that he wanted to dispute part of the evidence, but the High Steward interrupted him:

"My Lord, you are not now to speak in your own defence: but why Judgment of Death should not be pronounced."

The Earl bowed to his judge.

"Then I have no more to say; but humbly beseech you, my Lord High Steward and the rest of the Lords, to be intercessors to the King for his mercy towards me."

The High Steward took the white staff of his office from Sir Richard Coningsby, and pronounced the dread sentence.

"You are therefore to be carried from hence to the Tower, and from thence to the place of execution, where you are to be hanged till you be dead. And the Lord have mercy upon you."

The condemned man spoke once after the sentence.

"My Lords the Peers, I beseech you, as you have been the judges of this day, so you will be my intercessors."

Then the Lord Steward broke his white staff, and dissolved the Court, and Robert Carr, Earl of Somerset, was led back to the Tower, while the crowd of lords and ladies who had sat throughout the twelve hours of the trial, and many of them for sixteen hours, in court, poured out into the courtyard of Westminster to cool their hot and excited brains with the breeze of a night in May.

It was the last appearance of my Lord of Somerset among his peers. Although his life was granted, never again did he take a public place among those of his own rank, or show his face with its wrecked beauty in any crowd of English gentlemen and ladies. His sun had set for ever, and George Villiers, now Earl of Buckingham, was henceforth the shining light at Court.

But this chapter cannot be ended without a closer examination of the evidence brought against him and leading to the ruin of his fortunes. His peers brought him in guilty without a single dissentient voice. But now that he is arraigned at the judgment bar of history, shall the verdict be guilty or not guilty?

In the first place, then, the case for the prosecution, which was set forth in such an orderly manner by Francis



Bacon and the other counsel, and seemed so scrupulously fair to the accused peer, was, if we look deeper, built up to some extent on false and fabricated evidence. A great use was made of the examinations of Weston, but only the parts of that evidence hostile to the prisoner were used, while other parts in his favour were carefully suppressed.

Thus Weston absolutely denied that there was any white powder sent in a letter from the Earl to Overbury by Davies, or that any part of a powder was returned to the Earl.

Somerset had no opportunity of rebutting the evidence against him relating to the white powder by this important denial. Again, though the judges admitted the evidence of Davies—who, in consequence of the mysterious letter about him by Sir John Lidcott to Overbury, and his subsequent endeavours to enter Somerset's service, must be regarded as a most suspicious witness—the statement by Rawlins was not produced. That statement corroborated in a remarkable way the Earl's own account of the white powder :

“About ten days after Sir Thomas Overbury was committed to the Tower, my Lord commanded me to use his name to Sir Robert Killigrew for one of his vomits, but willed me neither to let him nor any other know what use his Lord<sup>p</sup> had appointed me to make of it, which was that I should send it enclosed in a letter from myself to Sir Thomas Overbury ; the substance whereof was that my Lord would have him use some means to make himself sick, that he might have a ground to work upon for the speedier obtaining of his liberty, and that I had received the vomit from Sir Robert Killigrew's own hands. According to these instructions I wrote, and sent in the vomit, enclosed in the letter, by Weston.”

In Weston's examinations there was not one word incriminating the Earl as an accessory *before* the fact, and no reliance can be placed upon the *hearsay* evidence of Simcock, who, as one of Franklin's gang, was a disreputable witness. The Earl's last words in court were an endeavour

to protest against this man. In spite of Somerset's desperate pleadings for the production of the letter from Sir Thomas Overbury, in which he said the powder had worked gently with him, and that *he would take no more*, the letter being admittedly in the hands of the Court, it was not produced.

But the truth is that this business of the white powder was practically irrelevant to the question of Overbury's death. A powder taken a few weeks after Overbury's committal to the Tower could not by any law known to medical science have caused the death of a man several months later. In Weston's indictment the immediate cause of Overbury's death was given as the poisoned clyster procured by the apothecary's boy bribed for £20. There was no attempt made in Somerset's trial to connect him with that particular dose of poison. Indeed, in spite of all the rhetoric of the Attorney-General about Franklin's seven deadly poisons, and Weston's chase of the prisoner with poison after poison until Overbury's body was soaked with them, this was silently acknowledged to be preposterous, because no reference was made to any poison with which Somerset could be connected other than the white powder procured in the early days of Overbury's imprisonment.

It will be seen by a careful study of the trial that the whole case of the prosecution, in the attempt to prove Somerset's connection with the gang of poisoners before the murder, was based upon Franklin and Simcock. The latter, as we have seen, could only produce secondhand accounts. He had been *told* by Weston, etc. Franklin's evidence was not too strongly denounced by the Earl. It has been seen that that arch-scoundrel lied until the very moment of his death. He added lie to lie with such a fertility of imagination that Bacon, the prosecuting counsel, had to abandon the greater part of his story, but used only the most plausible pieces which told against the Earl.

The story of his visit to the Cockpit, even if true, was not direct testimony. He *believed* the Earl was in the

inner room. His story about the letters passing between the Earl and the lady is also hearsay evidence, and again it seems as if his words were altered by the prosecution. In the report of the State Trials Serjeant Montague makes him say that he *saw* the letters. In his own examination he said he was *told* by the Countess that the Earl had used certain phrases. But all this evidence of Franklin, which, as we see, does not amount to much with reference to the Earl, should have been put out of court on account of the deliberate and detected lies of this witness.

It is, moreover, a significant thing that in the long confessions attributed to Franklin, Mrs. Turner, Weston, and Sir Gervase Elways before execution, obtained by Dr. Whiting, who was putting the strongest pressure upon those condemned people to accuse other and greater persons, and written down by Sir Edward Coke, who must be suspected, on account of erasures and additions, to have "touched up" the narratives, there is not a single word which drags in the Earl of Somerset as an accomplice in the poison plot.

With regard to the replacing of Sir William Wade by Sir Gervase Elways as Lieutenant of the Tower, it is highly improbable that Somerset would have made a statement in court which could have been immediately denied by the Peers. "It is *well known*," he said, "that the reason of Wade's displacing was in respect of his carelessness in suffering the Lady Arabella to have a key by which she might have conveyed herself out of prison." That Wade was not displaced by any plot is proved by several documents in the State Papers. On May 13, 1613, Chamberlain, writing to Carleton, says that "Sir William Wade has been removed from the Lieutenancy of the Tower on complaint of having embezzled jewels from the Lady Arabella." On May 19 Sir Thomas Lake, afterward Secretary of State, writing to Carleton, says, "Sir William Wade is removed from the Lieutenancy of the Tower, *his daughter imprisoned, and others examined relative to offences there.*"

On August 13, 1614, there is actually a letter from Sir William Wade, to Viscount Rochester himself, soliciting his patronage. These facts must have been known perfectly well to all the judges and to Francis Bacon. It was therefore a disgraceful thing that they should have used Wade's dismissal as a proof of the prisoner's guilty intentions. But on their own evidence the story was disproved. They admitted that Elways had to pay a heavy sum for his place. They even made this part of the accusation against Somerset. Yet, if the Earl had been desperately anxious to put Elways into that position in order that he might act as an accomplice, Elways would not have needed to bribe his way in. The prosecution also accepted the statement of Elways that he approached Lords Pembroke and Shrewsbury to solicit the favour of Somerset to obtain that place. In view of the document in the State Papers, this part of the evidence against the Earl falls to the ground. He did *not* conspire to remove Wade in order to put in Elways; and this charge recoils upon his judges and opposing counsel, who must be convicted of gross dishonesty.

But what can we say when we come to the evidence of Lobell? It is almost incredible that men like Coke and Bacon, two of the greatest lawyers in the history of English law, should have dared to make use of this man's testimony against the Earl. If there was one man against whom suspicion pointed it was the French physician. The evidence of Edward Rider was sufficient to cause his instant arrest. Indeed he was the first man who should have been arraigned on a charge of murder. He had been in constant attendance on Sir Thomas Overbury. His son's assistant was, according to all evidence, the apothecary's boy who had administered the fatal clyster, and the boy he smuggled away to France. Why was he not charged? But apart altogether from the suspicion of being the principal agent of the murder, it was deliberately dishonest to use one part of his examination against the prisoner, and to suppress the rest. Lobell denied that Sir Thomas



Overbury had been poisoned at all. He declared that he had died of consumption. Those words were not admitted at the trial, but he was called as a witness to show the Earl's eagerness to obtain news of Overbury's health, —a not unnatural eagerness, considering the former relations between those two men, if Somerset were utterly innocent of all evil intent.

But this leads to another point. The prosecution had endeavoured to prove that Overbury had been kept in close and cruel confinement so that no friends had access to him. Yet, by a strange inconsistency, they produced the evidence of Sir Thomas Lidcott, showing that this gentleman, Overbury's own brother-in-law, and Sir Robert Killigrew, a distinguished medical man, were, by Somerset's intercession, admitted to the prisoner's lodging at the very time when he lay ill, and after he had taken the white powder. If there were two men in the world whom Somerset would have desired to keep away from Overbury at this time, they were Lidcott, the prisoner's relative, and Killigrew, who had supplied the innocent white powder.

But further than this, it is proved by the examinations of other witnesses, and by documents in the State Papers, that Overbury was constantly attended by the best doctors of the day. There is a letter in Somerset's handwriting to Dr. Craig, one of the King's physicians, begging him to see Sir Thomas Overbury as often as the prisoner should desire. Lobell admitted that Somerset asked him to write to Dr. Maiot (or Mayerne) for advice in Overbury's case. Somerset, as we know from another document in the State Papers, already quoted, was in correspondence with Dr. Mayerne, the most celebrated man of his day, on the same subject. It was Dr. Mayerne who recommended Paul de Lobell, and Lobell himself, after June 25, attended Overbury until his death. This does not seem like a conspiracy to deprive Overbury of friendly attendance and medical advice. How was it that none of those doctors suspected poison?

And going further back still, why was not the coroner's

certificate of death produced in court? It is the first principle of modern law that before a person is accused of murder the fact of the murder must be established. Yet there was no proof produced that Overbury had actually died of poison. On the contrary, a very plausible case might have been made out to show that Overbury was not poisoned at all!

But for the lateness of the hour, and the fatigue from which the Earl was inevitably suffering after twelve hours' trial, one would marvel that he did not press home some of these points.

The truth is in this case, that Somerset was caught in a tangled skein of evidence which he could not unravel. For, if we admit his innocence, it will be seen that there was not one plot but two plots. There was the plot to keep Overbury safely in the Tower until the divorce case was at an end, and there was the plot to poison him. Somerset was in the first plot. And if we ask, like Bacon, why he did not seize the opportunity to get him out of the country which was offered by the embassy, the answer is that he could send letters from abroad, but not from the Tower, where Monson and Elways were vigilant in preventing him, in order to curry favour with the Earl of Northampton and the King's Favourite. On this theory, there were four men in the first plot — Somerset, Northampton, Monson, and Elways. That accounts for the curious correspondence between Northampton and the Lieutenant of the Tower, and between Northampton and Somerset. In the second plot there were Lady Essex and her gang. She had the brain to carry it out and the servants to execute it. It was the last chapter of a long series of evil practices in which she had been engaged since her first acquaintance with Forman, the astrologer. She did not need the assistance of her future husband. Indeed, the fact that both of them were sending tarts and jellies to the Tower points strongly to the innocence of the Earl. For if these two had been together in the plan to poison Overbury there was no need of a double set of tarts and

jellies. Somerset may be believed when he said that "the good ones were those that I sent and the bad ones hers."

But both these plots were inevitably tangled, so that there was no unravelling of them. Somerset was the lover of Lady Essex, and she had employed a gang of scoundrels to wither her husband Essex. Afterwards she had employed some of them to poison Overbury. The intrigue between the Earl and her therefore produced a kind of link between the Earl and her accomplices, though he had been ignorant of the witchcraft, as we believe he was innocent of the poisoning. Afterwards he married this woman, and for her sake he endeavoured to get into his possession those filthy papers, the existence of which she now revealed to him, when they were stored in the house of Weston's son. Here again his relationship with Frances Howard linked him to her past misdeeds and tangled the skein of both the plots. There is another theory which, if there were any truth in it, would make a closer and more tightly knotted tangle. It is that the Earl of Northampton was in both the plots, having schemed at first to keep Overbury a close prisoner in the Tower, and afterwards, without Somerset's knowledge, acting with his great-niece Frances in the attempts to do away with that man who, at a few words breathed openly, could have prevented the divorce between that woman and the Earl of Essex and her marriage with the King's Favourite, and have blasted the reputation of the whole family of the Howards. Be that as it may, and the theory need not be pressed, the existence of the two plots running side by side clears up many facts which would otherwise be mysterious. It shows that while the Earl of Somerset was guilty of treachery towards his former friend, he need not have been guilty of murder, and it shows that in spite of his innocence of that crime, if innocent he was, he was dragged down to the depths of shame by his guilty passion for a weak and wicked woman.

## CHAPTER XVII

### THE AFTERMATH

**N**EITHER the Earl of Somerset nor his lady suffered the extreme penalty of the law. Weston's fear came true. "The big fishes broke through the net." It was clear to those who had been present at the trial, and to those in the King's confidence, that they would escape the scaffold. The reference to the King's mercy made by the judges and counsel, and the letters from James to Sir George More, made it apparent that the King would not find it in his heart to allow the sentence of death to be executed. We need not be surprised at this. Although the Earl had been pronounced guilty, it was felt, even by those who had prepared the case for the prosecution, that the evidence against the prisoner had not been absolute and positive.

According to the ethics of justice in those days, every effort had been made to secure a conviction, and before the case came into court it was certain that Somerset would be condemned. But justice having been satisfied by this, there were reasonable grounds for recommending the prisoner to the King's mercy.

Before the trial Sir Francis Bacon had written a letter to the King which clearly reveals this curious point of view. "There will be ground of mercy on his part," he wrote, "upon the nature of the proof, and because it rests chiefly on presumptions. For certainly there may be an evidence so balanced, as it may have sufficient matter for



the conscience of the Peers to convict him, aye, and leave sufficient matter in the conscience of a King to pardon his life : because the Peers are astringed by necessity to acquit or condemn ; but grace is free ; and for my part, I think the evidence in this present case will be of such a nature.”<sup>1</sup>

After the trial, when the hostility against the King's Favourite had changed into pity for his absolute ruin, there were many who believed him innocent of murder. The Comte de Mareots, the French Ambassador in London when Somerset was tried, writes to his own Court : “ That certainly the least country gentleman in England would not have suffered for what the Earl of Somerset was condemned, and that if his enemies had not been powerful he would not have been found guilty ; for there was no convincing proof against him, but only circumstances such as might serve in France for putting him to the question, which was not the custom in England.”

Even Sir Anthony Weldon, who was by no means inclined to favour the character of the Earl, writes that “ many believe the Earl of Somerset guilty of Overbury's death, but the most thought him guilty only of the breach of friendship (and that is a high point) by suffering his imprisonment, which was the highway to his murder, *and this conjecture I take to be of the soundest opinion.*”

It was unlikely that such considerations should not have full weight in the King's mind, when all his old affection for his former Favourite pleaded in his own heart for mercy. Indeed, he owed something to Somerset for his behaviour at the trial. In spite of his threats, he had not said a single word which might be twisted into an accusation against the King. Yet there was a strong temptation to do so. Turned at bay, the Earl might have said that James himself was an accomplice in the plot against Overbury's liberty. It had been known for a long time that James disliked the poet and scholar, who

<sup>1</sup> “ Bacon's Letters and Life.”

had grown too big for his boots, and it was James who ordered him to the Tower and kept him there, in spite of the pleadings of the prisoner's friends and family. Somerset might have suggested dark things with reference to those physicians who had prescribed medicine for Overbury, and who were also physicians to the King. But he did not say a word about them or ask why those men were not called and not accused.

During the trial James had been in a fever of excitement. Some had seen his restless motion all that day, sending to every boat he saw landing at the bridge below the palace, and cursing all that came without tidings, until at last word was brought that Somerset had been condemned.<sup>1</sup> Then he must have breathed a sigh of relief that the passionate man, from whom he had half expected wild words before the judges, had gone from Westminster Hall without a single indiscretion. That was another reason why his pardon should be prompt and full.

With regard to Frances, Lady Somerset, there were no such reasons. She had pleaded guilty, and her crime and vicious life had been brought into a glare of light. But James, when he sought for reasons of mercy here, found one fact which melted him. Her witcheries and poisoning were the direct outcome of that unhappy child-marriage for which he had been so personally responsible. Then, too, how could he face his Lord Treasurer day by day if he had sent his daughter to a dreadful death? How could he face all those Howards, who still held the highest offices of State? Such arguments do not appeal to us who live in different days. They are worthless as pleas for the mitigation of a sentence passed upon a weak and wicked woman. But in the reign of James, the King's prerogative of mercy was far-reaching and undisputed. He could pardon the filthiest gallows-bird as a sign of grace upon a public holiday. He was the supreme judge, above his own Courts of Law, and in that case, when the daughter of the highest family in England lay under sentence of

<sup>1</sup> Weldon.



From an old print.

THEOBALDS, THE FAVOURITE RESIDENCE OF JAMES I.





death, it was inevitable that he should count her confession and contrition as excuses for mercy.

After the Countess's condemnation, Lady Knollys and other friends went to comfort her, and took her little daughter to her several times. But for a time no one went near the Earl, except some gentlemen from the Household, who again came from the King urging him to confess, in order that the way might be made easy for his pardon. But as before his arraignment, so now after his conviction, he stood boldly on his innocence, and would not accept any pardon if the price of it were the confession of a crime he had not committed.<sup>1</sup> Bribed by the offer of life, and refusing it, the Earl of Somerset's courage and honesty appeal to one in his favour, and strengthen one's impression of his innocence.

Sir Robert Cotton, Sir Thomas and Sir William Monson were liberated not long after the great trial, which seemed a proof to the people that the King would be merciful. It was disappointing to some who had been looking forward pleasurably to other public hangings.

In the Tower the husband and wife were no longer separated, and they were seen walking and talking with the Earl of Northumberland, and he and his lady saluting at his window. It was noticed also that the Earl still wore the Garter and the George, and news came from Windsor that the King had refused to give orders for the Earl's escutcheon to be taken down. There were murmurings at this among great lords. "It is much spoken of how foreign princes of that order (and let our own pass) can digest to be coupled in society with a man lawfully and publicly convicted of so foul a fact. Or how a man civilly dead, and corrupt in blood, and so no gentleman, should continue a Knight of the Garter. But this age affords things strange and incompatible."<sup>1</sup>

The lady's pardon was signed towards the middle of July. There were four special reasons given: the great and long service of her father, family, and friends; her own

<sup>1</sup> Chamberlain, "Court and Times."

penitence and voluntary confession, both before her arraignment and at the bar ; the promise of the Lord Steward and Peers to intercede for her ; and lastly, that she was not principal but accessory before the fact, and drawn to it by the instigation of base persons.

The news of the pardon soon flew through the streets of London and caused fierce indignation among the populace. When the Queen, with Lady Ruthin, the Countess of Derby, and Lord Carew were driving in a coach through the town, there was a rumour that it was Lady Somerset and her mother, and the people flocked together and followed the coach in great numbers " railing, reviling, and abusing the footmen and putting them in great fear." The Countess of Derby behaved very courageously and assured the people they were mistaken, and Lord Carew wanted to get out of the coach to satisfy them, but the Queen would not let him, lest he should never get in again. It was not until the Queen and her friends drove into Whitehall that the people stopped their violent behaviour.<sup>1</sup>

Most historians have assumed that the Countess of Somerset was set at liberty a few months after her condemnation when the pardon was drafted out, but, on the contrary, it is distinctly stated in an Order of Council dated January 18, 1621, that both the lady and her husband were still in the Tower at that time. The Earl's obstinate refusal to plead for mercy, and his proud and angry protests against the inevitable partition of some of his estates, delayed his release for several years, though his life was spared. While he and the Countess were under reprieve he wrote a long letter to the King, in which there are many obscure and curious expressions.

" May it please your Majesty " (he wrote) " by this gentleman, your Majesty's Lieutenant, I understand of some halt you made, and the cause of it at such time as he offered to your Majesty my letters ; but soon after your Majesty could resolve yourself and behold me nothing so diffident of you, but in humble language petitioning your favour, for

<sup>1</sup> Chamberlain, " Court and Times."

I am in hope that my condition is not capable of so much more misery, as I need to make my passage to you by such way of intercession." After a discourse on the King's "acts of mercy which are not communicable" he goes on: "To this I may add that whereupon I was judged, even the crime itself might have been worse, if your Majesty's hand had not touched upon it, by which all access unto your favour was quite taken from me. Yet as it did at length appear *I fell rather for want of well defending than by the violence or force of any proofs*; for I so far forsook myself and my cause, as that it may be a question whether I was more condemned for that or for the matter itself which was the subject of that day's controversy." He declares that nothing stands in the way of the King's future proceedings, but rather makes easy His Majesty's favour for his relief.

He complains that his enemies are influencing the King against him. "It is true that I am forfeited to your Majesty, but not against you by any treasonable or unfaithful act; besides, there is to be yielded a distinction of men, as in faults, in which I am of both under the nearest degree of exception. Yet your Majesty hath pardoned life and estate to traitors and strangers . . . let me hope there is nothing which by favour may be excused or by industry might have been avoided, that will fail me when your Majesty is to determine. It is not I that put your Majesty in mind opportunely, *it was he that was your creature; it is Somerset, with all your honours and envious greatness that is now in question*." Having "voluntarily parted" from his offices, he begs that his estates may not be broken up. "As in my former letters, so by this, I humbly crave of your Majesty not to let the practices of the Court work upon your son, the Prince. . . . But if your Majesty have any respects to move you to suspend your goodness towards me, let that which is mine rest in your hands till that you find all opposite rumours confirmed to your purpose.

"I have done wrong to myself to entertain such a doubt of your Majesty, but the unrelenting of adversaries, which

when you will have them will soon alter ; and that all this while I have received nothing of present notice for direction, or to comfort me from your Majesty, hath made me to expostulate with myself less hardly : for God is my judge, sir, I can never be worthy of it, if I have these marks put upon me of a traitor, as that tumbling and disordering of that estate would declare. The divorce from your presence lays too much upon me, and this would upon both. I will say no further . . . but to remember your Majesty that I am the workmanship of your hands, and bear your stamp, deeply imprinted in all the characters of favour ; that I was the first graft implanted by your Majesty's hand in this place, therefore not to be uprooted by the same hand, lest it should taint all the same kind with the touch of that fatalness, and that I was even the son of a father whose services are registered in the first honours and impressions I took of your Majesty's favour, and laid there as a foundation-stone of that building.—These and your Majesty's goodness, for to receive them is what I rely upon, praying for your Majesty's prosperity.

“I am in all humbleness your Majesty's loyal servant and creature,

“ R. SOMERSET.”<sup>1</sup>

One gropes darkly for the meaning of some of the phrases of this letter. Yet the gist of it is clear. Somerset pleaded that he might keep his estates intact, though he had lost all else. There were traitors to whom the King had granted that, and he was no traitor. He was even innocent of the crime with which he had been accused, and had fallen for want of well defending. His enemies were clamouring for his lands. Even Prince Charles, whom we know hated him now, and always used his influence with the King against him. Yet Somerset dares to suggest that the King should secretly pretend to yield, and by keeping the estates for the Crown should afterwards give them to their rightful owner.

<sup>1</sup> State Trials.



He appeals to the old affection that had existed between them. He reminds James of the services rendered by his family to the House of Stuart, and throughout this letter there is the underlying suggestion that the King is aware of something which should make him continue his favours to the writer unless he should stand convicted in his own conscience as treacherous and dishonest. In spite of a few conventional phrases of humility, it is a letter in which there are covert threats.

The result of this was that James, while granting some parts of Somerset's estates to various courtiers, said that he would be willing to make some provision for him. The Earl was at first inclined to demand all or nothing; but he was visited by his father-in-law, Suffolk, and afterwards by Lord William Howard and Lady Banbury, who said that he should "take care, if not of himself, yet of his wife and child." Finally Somerset gave way, and allowed his wife to write to Lord Carlisle, begging him to use his influence with the King to secure that part of the estate already promised. The business was delayed because of the King's journey to Scotland, but afterwards, at Huntingdon, James granted Somerset the possession of a manor in Northamptonshire worth £1,000 a year, and, in addition, promised to give him lands to the value of £4,000 a year. By Somerset's own confession, many years later, his obstinacy was the cause of this promise being delayed for a long time, until at last "he found cause to sue both for freedom and pardon, and for that part of his estate which vested in the Crown."

It was on January 18, 1621, that the King, by Order of Council, granted liberty to the Earl and Countess, according to the conditions mentioned.

"Whereas His Majesty is graciously pleased to enlarge and set at liberty the Earl of Somerset and his lady, now prisoners in the Tower of London; and that, nevertheless, it is thought fit that both the said Earl and his lady be confined to some convenient place: it is therefore, according to His Majesty's gracious pleasure and command, ordered,

That the Earl of Somerset and his lady do repair either to Grays or Cowsham, the Lord Wallingford's houses, in the county of Oxon, and remain confined to one or either of the said houses, and within three miles' compass of either of the same, until further order be given by His Majesty."<sup>1</sup>

It was not until 1624, about four months before the King's death, that Somerset received a full pardon; and James died too suddenly to sign the grants which he had promised to his old Favourite, so that the Earl of Somerset was deprived of about half the income which otherwise he would have had.

If Weldon may be believed, the Earl had not learnt by his wife's disgrace and shame to keep away from the fortune-tellers, who thrived on the credulity of all classes at that time; and one of them is said to have assured him that if he should ever see the King's face again, he would be reinstated in his former greatness. Perhaps it was only the voice of the magician which lives in every man's heart, deluding him with hopes and dreams. In any case, the prophecy was not fulfilled. Arthur Wilson says that, towards the end of his life, James occasionally visited his old Favourite in his retreat. Bishop Burnet tells this tale with more detail, and says that when the King grew weary of Buckingham's arrogance and wilfulness, he had a mind to reinstate the man upon whose ruined fortunes the second Favourite had built his own. He says that their first meeting was in the gardens at Theobalds, where the King embraced Somerset tenderly, and shed many tears. "Somerset," writes Burnet, "told this to some from whom I had it." It is difficult to reconcile this story with the delay in granting the Earl's full pardon, and with the failure on the King's part to fulfil all his pledges as to Somerset's estate; but possibly the meeting took place immediately before the King's last illness. It must not be forgotten, too, that in his latter days James was almost entirely in the hands of Prince Charles and "Stenie," His

<sup>1</sup> State Trials.

Grace of Buckingham. They would not be inclined to allow their "old dad and gossip" to show any favour to the fallen man.

The last act of the tragic drama in which the Earl and Countess of Somerset played the chief parts may only be told in a few words, for there was no one who chronicled their life in its deep obscurity. But from Arthur Wilson, who was once in the Earl's service, and from Sir Symonds D'Ewes, who was a contemporary of all these events, we learn that they spent their days together in the utmost misery and unhappiness. The love for which they had defied all laws was now changed into a mutual hatred. The Earl saw in this woman, whose beauty had now faded, the cause of his disgrace and ruin. He could not forget the revelations in that box of papers seized in Richard Weston's house—those vile letters of his wife, then Countess of Essex, to Forman the magician, and to Mrs. Turner, the go-between. He could not forget that awful trial, when all her vicious life had been exposed to the scandalised world, and when those puppets and spells with which she had tried to bewitch him and the Earl of Essex had been handed about the court to satisfy the curiosity of the peers and judges. She had shamed him to his very soul, and, worse still, she had dragged his name in and said "perhaps" to Coke's suggestion that her husband was an accomplice in the poisoning of Overbury. No wonder he hated her; yet, by an Order in Council, he and she were doomed to live together in close confinement at a country house, as they had lived together in the Tower. It must have been a living torture to both of them—to sit opposite to each other at the same table day by day, and to be forced to bear each other company in dreadful solitude, without society; to tire each other out with upbraidings and accusations; to suffer the horrible silence which afterwards followed when, as inmates of the same house, they lived entirely separate and estranged. It was a situation which would provide a psychological novelist with some powerful scenes; for if the King had been a fiend of cruelty, he

could not have devised a more subtle punishment for two erring souls.

After the death of James, Lady Somerset seems to have gone at times to Court, though the Earl was too proud, or not permitted, to return to the scenes of his old splendour. There is a curious letter dated November 24, 1628, from Archie Armstrong, the Court fool, to James Hay, Earl of Carlisle, in which he says that the Duchess of Richmond and the Countess of Somerset were godmothers at the christening of his new-born son. There is something terribly ironical in the fact that Frances Howard, Countess of Somerset, who had once been the greatest lady in the Court, should be the godmother to the Fool's child. It is the only ceremony in which her name appears after her disgrace, and even so one wonders that a murderess should be allowed to stand at the font as sponsor before God for the white soul of a child. Towards the end of her life she suffered, according to Arthur Wilson, from a terrible disease, and died in agony. The year of her death was 1632, sixteen years after that tragic day at Westminster Hall when she was sentenced to be hanged. And yet she was only thirty-nine years old when her coffin was carried to the parish church of Walden! Her only claim to forgiveness and pity—beyond the weakness of a woman's heart and the strength of human passion—was her youthfulness when she was led astray into the filth of vice and crime. She was but a child when her heart first leapt at the sight of Robert Carr's blue eyes and flaxen hair.

After her death the Earl of Somerset lived still in absolute seclusion, and if he had any joy it was in watching the growth of his only daughter in beauty and grace. That he loved her, not selfishly, we know, for he made great sacrifices for her when she came into womanhood. Like her mother, she was beautiful, and unlike her mother, innocent. She had been brought up in ignorance of the crime for which her parents had been sentenced to death, ignorant indeed of the whole dreadful story; and it is said that when,





From an engraving by P. Lombart, after a painting by Van Dyke.

LADY ANNE CARR,  
afterwards Countess of Bedford.

p. 418.



after she grew up, she read in a book the history of her mother's guilt and trial, she fell down in a swoon and was discovered unconscious with the book by her side. By an extraordinary coincidence of fate, her charm gained for her the love of young Lord Russell, the son of the Earl of Bedford, who had been one of the "syndicate" which had plotted for the downfall of her father. So passionately was he in love that he would not listen to the angry protests of his father, who repeated again and again, violently and pleadingly: "Marry whom you will but a daughter of Somerset." Unlike many lovers of that time, the young man, who was one day to be a duke, thrust on one side all considerations of fortune. He knew that in marrying the daughter of a convicted murderess and of a disgraced Favourite, he was not only courting a public scandal but sacrificing great estates which would have come to him with the hand of any of those heiresses of whom he had but to pick and choose. It is very much to the honour of his heart that he chose Lady Anne Carr and her poverty. For a long time it was known that he had vowed to marry none other, and at last King Charles himself took pity on these lovers. Mr. Garrard writes to the Earl of Strafford on April 5, 1636: "The King lately sent the Duke of Lennox to my Lord of Bedford to move him to give way to the marriage between my Lord Russell and the Lady Anne Carr, daughter to the Earl of Somerset, which he [the King] should take well at his hands. The love between them hath long been taken notice of, though discreetly and closely carried; for his father gave him, as I take it, leave and liberty to choose in any family but that; but marriages are made in heaven."<sup>1</sup>

The Earl of Bedford was at last induced to consent, but he demanded that Somerset should give his daughter a marriage portion of £12,000. It was not a great sum for the wife of Bedford's heir, but it was an immense sum to the fallen Favourite, who had but a miserable income, and only a house at Chiswick. Nevertheless, he provided the money,

<sup>1</sup> "Strafford Letters."

selling house, plate, and jewels to make up the amount. "‘Since her affections are settled,’ he said, ‘I would rather ruin myself than make her unhappy.’" It was a generous and a loving deed, and perhaps may wipe out in some measure the great faults of the man's life. It shows at least that his heart was not cankered by his miserable fate, and still had room for human affection.

But it must have been gall and wormwood to Somerset to sit with folded hands and watch the history of the Court and times in which he could play no part. He saw many strange events. He saw young George Villiers raised to his own place and made a Viscount and Earl and then Duke of Buckingham. He was a silent spectator of the fruits of his own policy when Prince Charles went courting at Madrid with the magnificent "Steenie," and came back without his mistress, and with a wrathful heart, playing into Buckingham's hands when a war was declared against the Spanish forces who had driven from his kingdom the Elector Palatine with his wife Elizabeth. He lived through the disastrous effects of that war when the English people were at the mercy of the press-gangs and the tax-collectors. He watched Buckingham involved with France, after he had brought back a French bride for the King, and read the news-letters which told of the disaster at Rochelle. Then one morning he heard of the deed done by Felton's knife at Portsmouth, when the man who had been his rival and his successor was struck to the heart without a moment's notice of his doom. And still Somerset lived on, though it was almost a living death for a man of his character and past career.

In 1629 he had a temporary excitement by being arrested on a charge of contempt against the King. His old friend, Sir Robert Cotton, had brought the trouble upon him, and was himself in danger. On November 4 of that year the Council issued an Order "in conformity with his Majesty's express pleasure, that he should seize and seal up all the papers and writings of the Earl of Somerset, with all boxes and trunks found in any place



where his writings may be, either in the City, at Chiswick, or elsewhere.”<sup>1</sup>

On November 6 Archbishop Harsnet of York writes to Sir Henry Vane, Ambassador at the Hague :

“ On Tuesday evening were sent to Mr. Vice-Chamberlain and others to seal up Sir Robert Cotton’s library and to bring himself before the Council. There was found in his custody a pestilent tractate, which he had fostered as his child and had sent abroad into divers hands, containing a project how a prince may make himself an absolute tyrant. This device he had communicated to divers lords, who on his confession are questioned and restrained ; the Earl of Somerset to the Bishop of London, Lord Clare to the Bishop of Winchester, and Lord Bedford to I know not whom. Cotton himself is in custody. God send them well out.”<sup>1</sup>

The case was brought up before the Star Chamber, but no action was taken, and all the prisoners were speedily released.

King Charles never gave any grace to his father’s favourite, and in 1633 showed an unpleasant temper towards him over a jewel in the Earl’s possession, which the King claimed as the property of the Crown. For some time Somerset ignored this demand, but on May 15 of that year he received a stern letter from Secretary Windebank.

“ The King is very ill satisfied with the Earl’s answer,” he wrote, “ returned by Sir Robert Carr, concerning the Jewel belonging to the Crown, and observes beside the manner of putting it into Sir Robert’s hand and not addressing it to his Majesty nor to the writer. The substance was an evasion or device to elude His Majesty’s command, which he much resents, and the rather because the Earl, having been many years in some nearness to his Majesty’s father, to whom he owes his fortune, should better understand how to treat with his Sovereign. Besides, his present condition is not fit for a scorner. His Majesty will no longer be delayed, *but will take another way in case*

<sup>1</sup> Domestic State Papers.

*of a second refusal.* The Earl is therefore to send the jewel by the bearer."<sup>1</sup>

Somerset was not quick in responding to this letter, which rubbed salt into his wounds, but at last returned the jewel.

Charles had an idea that the Earl was not so poor as he professed, and half believed that he had amassed a private fortune, which had not been seized after his condemnation. In April of 1635 there was a proposition under the consideration of the Council to inquire into the whereabouts of £60,000 supposed to be in the hands of the Earl of Somerset, this being part of certain moneys paid by Henry IV. of France. On July 3 this was ordered to be prosecuted in the Exchequer Chamber, but the inquiry does not seem to have been made, and probably was not followed up. In the same year, indeed, the Earl of Somerset appealed personally to Charles for the fulfilment of the pledge regarding his property made by King James and not yet carried out. Having given particulars of the arrangement promised by James, which has already been mentioned, he writes as follows :

"Since that time he hath sued to your Majesty by the Duke of Buckingham, the Earl of Portland, and afterwards by my Lord of Canterbury, my Lord of Cottington, and others. At the marriage of his daughter with the now Earl of Bedford, he was by the Duchess of Buckingham and the Earl of Pembroke desired, for reasons they gave him, not to press your Majesty therein at that time ; being assured by them, that whatever he had to demand justly of your Majesty, or should make appear to have been meant of him by your father, you would do him right in it. Whereupon he went in, and engaged himself to the late Earl of Bedford, and for his use, in which he stands yet bound, to his exceeding great prejudice ; all which notwithstanding, and that he afterwards did petition your Majesty for a reference in this same cause, yet he could not then obtain any.

<sup>1</sup> State Papers.

"Your Petitioner humbly prayeth, that your Majesty will be pleased to take into your consideration this suit of his, of a nature far differing from all others that are made to you ; that which he craves being only the performance of what your father intended for him, in lieu of so much as he had taken of him, and the same no otherwise is your Majesty to give him than as he hath forbore to take hold of it ; and for which your Majesty may conceive there hath been a cause, and that not a common one, which hath made him so long dispute with himself the receipt of so great a benefit, and wherein his whole fortune consisted and all that he had been getting for many years. However, he being the first that hath left in the Crown that which he might have had from it, may well hope that his confidence will not be imputed to him for a crime of that your Majesty (if he had thereby given you any advantage) would think fit to make use of it, against whom you may have cause to find when it comes to be inquired into, that he hath been more than trusted by the Crown, and hath more proofs to show than many others that he hath deserved well of the King your father, of your Majesty, and of all these three kingdoms.

"His last and humble suit to your Majesty is, that in respect of the many crosses he hath met with in the present cause, and that time hath taken away those great men before-mentioned, as also the Earl of Carlisle and others that were employed by the King to your petitioner, or present when he received his message from the Lords " [regarding the arrangement promised by James] "there remaining only now some noble persons of a greater number in this kingdom that can testify so much as will give credit to that which is delivered here. . . . That after the many losses he hath sustained by his want of access to your Majesty, and the assistance of those about you, such course may be taken now at length by your Majesty for the repairing him again, either out of that estate which was his own, or otherwise, as may accord with the purpose of the King your father, with your Majesty's justice, and

is due to the demand of your petitioner.—And he shall pray for your Majesty's long and happy reign."

The request of the petition was never granted, and the Earl lived ten years longer in personal poverty, but consoled in his last days by the happiness of his daughter, who was surrounded by the splendour of a great fortune and State. Then, in July of 1645, Robert Carr, Earl of Somerset, took his last breath; and when the heart that had been so proud and passionate lay still, the English people, who had almost forgotten him, were reminded of the strange and tragic drama of his life.



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